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CEQ RELEASES STATUS REPORT: ENVIRONMENTAL ACTIVITIES IN 1977

A status report compiled by the President's Council on Environmental Quality describing 1977's environmental legislation, policies, and other activities appears beginning on page 3.

CEQ CHAIRMAN ADDRESSES CONFERENCE ON ENVIRONMENTAL MEDIATION

Chairman Warren's address, The Hopeful Future of Mediation: Resolving Environmental Disputes Outside the Court, is reprinted on pages 21 through 37.

CONTENTS

Environmental Activities in 1977	3
The Hopeful Future of Mediation	21
State-County Index of EISs Filed During December, 1977	38
Agency Index of EISs Filed During December, 1977	44
Statements Filed During December, 1977	48
Cumulative Summary	90
Subscription Information	91

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January 25, 1978

In the year since President Carter took office, a number of important actions have been taken to protect our environment. The enclosed status report, compiled by the President's Council on Environmental Quality, describes 1977's environmental legislation, policies, and other activities. It does not include a comprehensive evaluation of the many enforcement efforts resulting from initiatives taken prior to 1977.

We hope that you find the report a useful source of information.

Caroline Isber
Director of Public Affairs

Enclosure

ENVIRONMENTAL ACTIVITIES IN 1977

A Status Report

Compiled by the
Council on Environmental Quality
January 1978

Last year, President Carter delivered an Environmental Message to Congress. In what was the first such message in four years, he promised that environmental protection would receive firm and unsparing support. A look at Administration initiatives in 1977 shows that much has been done in support of the President's pledge.

The past year saw a fresh examination of resource and environmental protection policies of the past. Clean air and water legislation was evaluated for mid-course correction. In general, the new amendments both strengthened and reaffirmed the laws' basic goals. Our commitment to protecting the nation's wetlands was also enhanced by an Executive Order and a wetlands acquisition program.

Historical attitudes about the use of our natural resources finally came under scrutiny. A major review of water resources policy marked the beginning of long-awaited reform. Hardrock mining was slated for reform as well, with legislation sent to the Congress to repeal the antiquated Mining Law of 1872 and replace it with one that provides clear authority to set environmental standards.

As new energy policies were designed, greater attention was given to the environmental consequences of energy development. Strip mining legislation and a new policy for the development of oil and gas on the outer continental shelf went into effect, helping assure that energy development will not proceed without regard for its effects on our lands and waters. Measures to reduce accidental oil spills and routine discharges from tankers were developed. The President and the Congress chose the environmentally preferable route by which to ship Alaskan natural gas to the lower 48 states. And President Carter's concern for the consequences of nuclear proliferation led to a revised and more sensitive nuclear energy policy.

Our responsibility to preserve a heritage of wilderness and wildlife for future generations was acknowledged. Proposals to set aside over 90 million acres in Alaska and

to expand Redwoods National Park were sent to the Congress, and our commitment to protect whales was firmly asserted.

Finally, the need to improve the government's ability to administer certain laws and programs already in place was recognized. At the President's instructions CEQ will soon be issuing regulations which will aid federal agencies in implementing the National Environmental Policy Act. A strategy to coordinate the many toxic substances control programs is being developed, and we are also trying to improve government environmental monitoring and data programs.

It is a significant record that has been achieved in the space of a year, but one that must still be expanded. Alongside these new laws, agreements, Executive Orders, and policies that took effect in 1977 are proposals that await Congressional action. There are also many Executive Branch policies which are still under review. Later this year we will be reporting on the progress made by federal agencies in carrying out these and other directives contained in the President's Environmental Message. In the meantime, this compilation provides a benchmark against which to measure the pace of our progress.

Charles Warren

CHARLES WARREN
Chairman

CONTENTS

	Page
PREFACE	iii
NEW ENVIRONMENTAL LEGISLATION, AGREEMENTS, AND POLICIES	1
Clean Air Act Amendments of 1977	1
Clean Water Act of 1977	2
Wastewater Treatment Policy	3
Surface Mining and Reclamation Act of 1977	3
Nuclear Non-Proliferation Policy	3
Water Resources Projects	4
Alaska Natural Gas Pipeline Resolution	5
Whaling Agreements	5
Outer Continental Shelf Leasing Policy	5
Oil Pollution Prevention	5
Protecting the Nation's Wetlands	6
Better Management of Floodplains	6
Protecting Public Lands Damaged by Off-Road Vehicles	7
Restricting Imports of Harmful Exotic Plants and Animals	7
POLICY REFORM IN PROCESS	8
Improving Implementation of the National Environmental Policy Act	8
Reforming Water Resource Policy	8
Coordinating Toxic Substances Programs	9
Controlling Health and Environmental Effects of Coal Use	10
Improving Environmental Monitoring and Data Collection	10
Improving Government Organization	11
PROPOSALS AWAITING CONGRESSIONAL ACTION	12
Curbing Nuclear Proliferation	12
Controlling Outer Continental Shelf Development	12
Conserving Energy and Developing Renewable Energy Resources	13
Preventing Oil Pollution of the Oceans	13
Reforming Hard Rock Mining on Public Lands	14
Preserving Alaskan Lands	14
Protecting and Expanding Redwood National Park	14

NEW ENVIRONMENTAL LEGISLATION, AGREEMENTS, AND POLICIES

The year's major environmental accomplishments included new legislation to regulate air and water pollution and strip mining, a new policy on nuclear non-proliferation, international agreements on Alaskan gas and whaling, a new leasing schedule for offshore oil and gas, and a new program to reduce oil pollution from tankers. Several new Executive Orders were also issued.

Clean Air Act Amendments of 1977

In his Environmental Message, President Carter announced support for

- strong provisions to prevent the deterioration of air quality in clean areas;
- a program to protect visibility in our National Parks and Wilderness Areas;
- strong enforcement tools, including economic penalties to eliminate the benefits of non-compliance;
- the use of "best available control" technologies in all new facilities;
- strict controls on coal-burning plants to ensure that they meet air quality standards;
- emission limitations for automobiles which help meet clean air goals but allow achievement of strict fuel economy standards;
- state implementation of inspection and maintenance programs in seriously polluted areas to ensure that automobiles continue to meet emission control requirements while in use;
- continuation of EPA's current "offset" program for controlling new industrial growth in polluted areas and a review of the program to determine whether it should be altered.

For the most part, Congress adopted these recommendations. The hard-fought standards for auto emissions are slightly weaker than those proposed by the Administration, but they are far tougher than those sought by the auto industry. The new standards will require installation of three-way catalysts on new cars by 1981. Congress virtually forbade any additional pollution in National Parks and other unique areas and permitted only modest increases of pollution in areas where new growth is planned. With respect to already polluted areas, Congress adopted the President's recommendation to continue EPA's "offset" policy for the present, but to study it with a view toward possible revision. The other proposals made by the Administration were less controversial, and were incorporated into the Clean Air Amendments.

Clean Water Act of 1977

The President's recommended amendments to the Federal Water Pollution Control Act included:

- assigning highest priority to developing "best available technology" standards for controlling the discharge of toxic pollutants;
- continued funding for construction of municipal wastewater treatment facilities, with emphasis on water conservation, on alternatives to conventional treatment plants, and on ensuring proper operation of facilities once built;
- increased attention to pollution caused by runoff from agriculture, mining, forestry, and city streets, including additional funding for state and local agencies to plan and carry out programs;
- a strong federal wetlands protection program, with opportunity for states to assume major responsibilities for carrying out the program and with appropriate exemptions and procedures to avoid over-regulating activities that cause little wetlands damage (such as normal farming, ranching, and logging).

The Congress agreed with and adopted most of the Administration's recommendations. Congress incorporated use of best available technology for toxics control but deferred the deadline for one year, from 1983 to 1984. It funded the municipal grants program at a level of $4.5 billion for 1978 and $5 billion per year from 1979-82; this was slightly higher than the Administration proposed. Congress significantly increased

- full delineation of the role and authority of states in OCS decisionmaking;
- adequate collection and sharing of information for the benefit of states, affected communities, and the public;
- a comprehensive program for OCS leasing that meshes consideration of environmental risk, environmental knowledge, and conservation of resources for the future, together with anticipated needs for the resource.

Conserving Energy and Developing Renewable Energy Resources

Underlying many of the tax incentives, pricing policies, and other features of the National Energy Plan and the National Energy Act submitted to Congress is a firm commitment to energy conservation and the development of renewable resources. These new energy policy goals also hold clear benefits for the environment, as we reverse our present wasteful energy practices and come to rely on technologies which use sunlight and other renewable energy sources.

Preventing Oil Pollution of the Oceans

To accompany those programs delineated in his Message on Oil Pollution, the President urged the Congress to ratify the International Convention for the Prevention of Pollution from Ships (1973). The Convention requires segregated ballast on large new tankers and places strict controls on oil discharges from ships.

The President also submitted to the Congress the Comprehensive Oil Pollution and Compensation Act of 1977. It would establish a single nationwide system to impose liability for oil spills to ensure full compensation to victims of all oil pollution damage, and it would provide for a $200 million fund to cover all cleanup and damage costs.

Reforming Hard Rock Mining on Public Lands

The mining of hard rock minerals (such as gold, copper, and iron) on the public lands is still governed by the Mining Law of 1872. This law lacks clear authority for establishing environmental standards. It ignores the need for balanced management of resources, and it does not require compensation to the public for private development of public resources.

To correct these problems, the Administration submitted legislation to Congress which would:

- repeal the Mining Law of 1872;
- authorize the issuance of mineral leases and establish federal discretionary authority over the exploration and development of hard rock minerals on the public lands;
- establish strict standards for the prevention of environmental damage and the reclamation of mined areas;
- integrate mining into land use plans being developed for the public lands under other federal statutes;
- require government approval of mining operations and reclamation plans
- provide for a fair return to the federal treasury for the production of publicly owned hard rock minerals.

Preserving Alaskan Lands

Under the Alaska Native Claims Settlement Act, the Congress has until the end of 1978 to determine how much federal land in Alaska will be set aside as National Forest, National Park, National Wildlife Refuge, and Wild and Scenic Rivers. The Administration has proposed that 92 million acres be selected for inclusion in these systems, permitting the creation or expansion of 19 National Parks and Reserves, 14 National Wildlife Refuges, and 42 Wild and Scenic Rivers.

Protecting and Expanding Redwood National Park

The Congress established the 58,000-acre Redwood National Park in 1968 to protect the unique coastal redwoods. Unfortunately, the compromise boundaries adopted by Congress left the Redwood Creek portion at the southern tip of the Park especially vulnerable to damage from logging on lands outside the Park.

The Administration has proposed to the Congress:

- adding 48,000 carefully chosen acres to the Redwood National Park to provide protection to existing parklands and to add additional stands of redwoods to the Park;
- rehabilitating the Redwood Creek watershed to repair damage from past abuse.

Improving Government Organization

To improve the ability of government to manage natural resources and protect environmental quality, the President directed the Office of Management and Budget to review the way the federal government is now organized to perform these functions. An OMB task force is expected to present its recommendations to the President in February 1978.

PROPOSALS AWAITING CONGRESSIONAL ACTION

A number of Administration proposals sent to Congress in 1977 await action. These are aimed at:

Curbing Nuclear Proliferation

In addition to the new policies outlined in President Carter's April 7 statement (see Pages 3-4), the Administration submitted legislation to aid in curbing nuclear proliferation. The Nuclear Non-Proliferation Act of 1977 currently before Congress has as its main features:

- defining the immediate export conditions which the U.S. can reasonably ask other nations to meet while we renegotiate stricter arrangements;
- defining additional nuclear export conditions which will be required in new agreements for civil nuclear cooperation;
- requiring that recipients of U.S. nuclear supplies will have all their nuclear activities under International Atomic Energy Agency safeguards;
- continuing our objective of universal adherence to the Non-Proliferation Treaty.

The bill is intended to reassure other nations that the United States will be a reliable supplier of nuclear fuel and equipment for those who genuinely share our desire for non-proliferation.

Controlling Outer Continental Shelf Development

The President is supporting legislation which would improve the government's ability to control exploration and production of oil and gas on the outer continental shelf. In contrast to the OCS Lands Act of 1953, which now governs OCS development, the proposed legislation provides for:

- a pause between exploration and development, after oil and gas are actually discovered, to evaluate how and whether development should proceed;
- cancellation of leases and compensation to the lease holder in situations of unacceptable environmental risk;

- ways to ensure that projects apply the most effective water conservation and reclamation methods. Such measures are costly, and often impossible, unless they are included during early project planning;

- the need to anticipate and reduce adverse environmental impacts of proposed federal water resources programs and projects. Flood control and navigation programs have eliminated millions of acres of productive agricultural and forest lands and have destroyed commercial and sport fisheries along hundreds of river miles. Unanticipated effects of water resource programs have cost federal agencies vast sums to mitigate environmental damage.

Coordinating Toxic Substances Programs

A multitude of federal statutes and programs address in various ways the problems of harmful chemicals. To improve the administration of these authorities, the President called for the development of a coordinated federal strategy. An interagency Toxic Substances Strategy Committee was subsequently formed to devise ways to:

- emphasize prevention of problems before they occur;

- improve the sufficiency, quality, and coordination of research and its usefulness in support of regulation and policy;

- develop improved methods of coordinated collection and exchange of needed information by federal agencies;

- ensure that regulatory and non-regulatory approaches to chemical substances control are effective, mutually compatible and otherwise enhance coherent implementation of these laws;

- adopt a government-wide set of general principles relating to identification of cancer-causing substances as a first step in more uniform approaches to risk assessment;

- establish methods for effective and coordinated governmental response to chemical emergencies.

The Environmental Protection Agency, the Occupational Safety and Health Administration, the Consumer Product Safety Commission, and the Food and Drug Administration have also agreed to work together on many of the same problems. Although these agencies often regulate the same industries and the same chemicals, they use different testing methods, have different regulations for similar chemicals and have different priorities about the danger of similar substances. The Interagency Regulatory Liaison Group's efforts to establish common priorities, procedures, and regulations are an important step in regulatory reform.

Controlling Health and Environmental Effects of Coal Use

In both his National Energy Plan and Environmental Message, President Carter recognized that the increased and accelerated use of coal must be accompanied by a strong commitment to environmental protection.

In addition to stripmining legislation, efforts are now underway to:

- assess the health and environmental effects of direct coal combustion and to develop better pollution control technology;

- identify the health and environmental effects of coal conversion and other new energy technologies. The Department of Energy and the Environmental Protection Agency are also developing procedures to establish environmental standards for these technologies;

- revise the national coal leasing program so that mining on public lands occurs only in areas where it is environmentally acceptable and compatible with other uses.

Improving Environmental Monitoring and Data Collection

An interagency task force was formed at the President's direction to improve government's environmental monitoring and data programs. Our growing awareness of environmental problems has led to the creation or expansion of more than a hundred such programs. However, many suffer from large gaps, wasteful duplication, questionable validity, and lack of coordination. Proposals to remedy these problems will be ready in September 1978.

Protecting Public Lands Damaged by Off-Road Vehicles

The President issued an Executive Order in May amending Executive Order 11644 on the "Use of Off-Road Vehicles on the Public Lands." The new amendments require agency heads to close portions of the public lands to off-road vehicles if their use will cause or is causing considerable adverse effects on the soil, vegetation, or other values of the public lands. The amendments also authorize federal agencies to close portions of the public lands until studies indicate whether the lands should be permanently designated as suitable or not suitable for use by off-road vehicles.

The Executive Order affects only those off-road vehicles actually responsible for environmental damage. Where motorcycles are restricted during summer because they are causing damage, snowmobiles which are used in winter will not necessarily be restricted if they do not cause any harm.

Restricting Imports of Harmful Exotic Plants and Animals

The President issued an Executive Order which increases protection for U.S. agriculture, forestry, and wildlife from harmful effects of exotic plants and animals. The Executive Order restricts:

- the introduction of exotic species into federal lands and waters;
- the importation of exotics for the purpose of introduction;
- the use of federal funds and programs to export native species.

Some introductions are both necessary and beneficial to the public, and the Executive Order does not apply to them. But many of the hundreds of exotic species which have become established in the United States have been highly detrimental to public health, agriculture, and wildlife. The costs to society include competition for or destruction of wildlife habitat, competition with native wildlife species, and the direct economic cost of state and federal programs to control harmful exotic species which have become established in U.S. ecosystems.

POLICY REFORM IN PROCESS

In his Environmental Message to Congress in May, President Carter sent a series of directives to federal agencies which would change present policies.

Improving Implementation of the National Environmental Policy Act

The National Environmental Policy Act (NEPA) and its requirement for environmental impact statements have had a dramatic and beneficial influence on the way new federal projects are planned. Nevertheless, an increasing preoccupation with paperwork in the EIS process has tended to obscure the Act's fundamental goals.

To improve NEPA, the President issued an Executive Order directing the Council on Environmental Quality to prepare regulations which will ensure the effectiveness of environmental impact statements while reducing unnecessary paperwork. CEQ was also directed to develop procedures to resolve interagency conflicts. The Council has prepared draft regulations which will go into effect later this year after they are reviewed by government agencies and the public.

Reforming Water Resource Policy

At the same time the President initiated a review of federal water projects, he directed the Water Resources Council, the Office of Management and Budget, and the Council on Environmental Quality to review present water resource policy. He asked for concrete recommendations for policy coordination and reform. These recommendations are to be submitted to the President in early 1978.

Among the critical issues being examined are:

- the appropriate standards for water project planning and evaluation. Present standards that specify planning objectives, discount rates for determining future benefits, and procedures for cost-benefit analysis tend to exaggerate a project's direct economic benefits while understating environmental and indirect economic costs;

- the appropriate cost-sharing formulas used to determine the non-federal contribution to federal water resources programs and projects. Present formulas are highly inconsistent, differing from one purpose to another and from one agency to another.

found most objectionable. In addition, three projects were to be modified to reduce environmental damage, and no funds were appropriated for 12 unbudgeted projects.

Alaska Natural Gas Pipeline Resolution

Congress supported the President's choice of a pipeline route proposed by the Alcan Pipeline Company to transport natural gas from Alaska's North Slope to the lower 48 states. The decision followed negotiations and agreement with the Canadian government.

The Alcan route was one of three competing pipeline proposals. It is regarded by federal agencies and environmental groups as the one which will do the least damage to the general environment and wildlife of the area.

Whaling Agreements

Since 1972, the United States has sought a moratorium on the commercial killing of whales. In order to provide additional protection, the government took several important steps this year, including:

- prohibiting commercial whaling within our 200-mile fishery conservation zone;
- maintaining firm support for a 10-year moratorium on the commercial killing of whales.

Outer Continental Shelf Leasing Policy

The Administration supported legislation to control exploration and production of oil and gas on the Outer Continental Shelf (OCS) (see section on proposals awaiting Congressional action, Page 12). In the interim before new legislation, the President directed the Secretary of the Interior to revise substantially the OCS leasing schedule. The new schedule and regulations are designed to consider goals of increased production from offshore areas, high standards of environmental protection, and adequate consultation with affected states so as to permit better planning.

Oil Pollution Prevention

The dramatic consequences of last winter's tanker accidents drew a great deal of public attention to the risks of tanker spills. In March, the President delivered a Message on Oil

Pollution of the Oceans, which laid out a program to reduce accidental spills and routine oil discharges from tankers, to improve cleanup after oil spills, and to provide full compensation to victims of oil pollution damage.

At the President's direction, the Department of Transportation has issued draft regulations that would upgrade construction and personnel training standards for foreign and domestic tankers. In addition, the Department of Transportation has begun boarding and examining tankers entering U.S. ports in order to record failures to meet requirements for safety and environmental protection. At the same time, the United States is making a strong effort to improve international standards for tanker construction, inspection, and crew training.

Protecting the Nation's Wetlands

In addition to supporting a strong wetland protection program under the Federal Water Pollution Control Act, the President took additional steps to safeguard our nation's wetlands.

By Executive Order President Carter directed all Executive agencies to refrain from supporting construction in wetlands wherever there is a practicable alternative. Where none exists, agencies must see to it that adverse impacts are reduced.

In addition, the President added more than $10 million to the Department of the Interior's FY 1977 and 1978 budgets for the acquisition of wetlands to maintain important breeding and wintering habitats for migratory waterfowl. He proposed an increase of $50 million over five years for this purpose.

Better Management of Floodplains

Although the federal government has spent vast sums on flood control projects for the last 40 years, loss of life and property from floods continues to increase. Meanwhile, unwise floodplain development continues to destroy valuable forest, farmland, and recreation areas. Unfortunately, the government itself has supported some of this development.

Another Executive Order issued by President Carter directs all federal agencies to protect the values and benefits of floodplains. Agencies are directed to reduce risks of flood losses by not conducting, supporting, or allowing actions to be located in floodplains unless there is no practicable alternative.

funding for state and local programs to control runoff pollution -- $150 million per year through 1980. Finally, Congress retained a strong federal wetlands protection program that provides for broad state participation and implementation.

Wastewater Treatment Policy

The Environmental Protection Agency instituted a major policy change in its grant program for municipal waste water treatment facilities. Announced in October, the new policy emphasizes land treatment systems as an alternative to conventional sewage treatment plants. Land treatment has the advantages of recycling both the nutrients contained in sewage and the water that carries it. Land treatment systems are also often cheaper to build and operate than sewage treatment plants.

Surface Mining and Reclamation Act of 1977

Taking a position counter to the previous Administration's, President Carter strongly endorsed national strip mine legislation.

The new law passed by Congress protects critical lands from irreparable damage. Mining on prime farmlands is permitted only if they can be restored to their original productivity. Mining in alluvial valley floors of the West -- very important agricultural lands that are easily damaged -- is allowed only if it does not prevent or permanently interrupt farming or damage water supply. Mined-over areas must be returned to their approximate original contours, and a tax to be collected on currently produced coal will be used to reclaim already mined land. Although the Surface Mining Control and Reclamation Act enacted in August does not contain all the features sought by the Administration, it does contain the most critically needed measures for protection of land and water.

Nuclear Non-Proliferation Policy

A comprehensive review of U.S. nuclear policy begun a few days after President Carter took office culminated in an April 7 policy statement which significantly changed U.S. nuclear energy policies, especially toward use of plutonium and other weapons-usable materials. Key items included the indefinite deferral of commercial reprocessing and recycling of plutonium in U.S. nuclear power programs, including no federal support to complete or operate a reprocessing plant

at Barnwell, South Carolina. In October the Administration stated that its domestic and international non-proliferation efforts would be assisted if the Nuclear Regulatory Commission were to terminate its proceedings on the Generic Environmental Statement on Mixed Oxides (GESMO). In December the Commission ordered the proceedings terminated and the draft safeguards supplement prepared for its GESMO proceedings published as a staff technical report.

The President also requested the termination of the Clinch River Breeder Reactor (CRBR) project and has directed the restructuring of the U.S. breeder program to give greater priority to alternative designs of the breeder other than plutonium and to defer the date when the breeder reactor would be put into commercial use. In November the President reasserted his opposition to the CRBR by vetoing the FY 1978 appropriations bill which would have provided funds for the project.

U.S. nuclear R&D priorities were also redirected to accelerate research into alternative nuclear fuel cycles not involving direct access to materials that can be used for nuclear weapons.

Another part of U.S. policy is to continue its role as a reliable supplier of low enriched uranium fuels. In October the Administration announced a policy of accepting limited amounts of spent nuclear fuel from other countries when non-proliferation objectives would be advanced. The U.S. fuel supply and spent fuel storage policies are both designed to help eliminate the need for reprocessing and plutonium use.

The April 7 statement also announced the U.S. would explore the establishment of an international effort to evaluate potentially safer nuclear alternatives. The first meeting of the International Nuclear Fuel Cycle Evaluation (INFCE) was held in Washington, D.C. in October.

Water Resources Projects

Soon after taking office, the President initiated a major interagency review of federal water resource projects and announced his intention to develop water policy reforms and to oppose construction of projects which fail to meet minimum economic, environmental, and safety criteria. (See Water Resources, Policy Reform, Page 8).

President Carter succeeded in getting fiscal year 1978 funds deleted for 9 of the 18 water projects which the Administration

CONFERENCE ON ENVIRONMENTAL MEDIATION

REMARKS BY

CHARLES WARREN, CHAIRMAN
COUNCIL ON ENVIRONMENTAL QUALITY

RESTON, VIRGINIA
JANUARY 11, 1978

THE HOPEFUL FUTURE OF MEDIATION:

Resolving Environmental Disputes Outside the Courts

In the New Year's Day edition of the Washington Post, Shirley Hufstedler, the distinguished federal judge of the Ninth Circuit Court of Appeals, discussed the American tendency to turn all our troubles over to the courts. We appear, she wrote,

> to have unbounded faith that judicial systems can supply a hope chest for every hope and a remedy for every wrong. We now expect courts to end racial tensions, sweep contaminants from the globe, and bring about an armistice in the battle of the sexes. We expect courts to assure us of a right to be born and a right to die.... We ask judges to marry us, divorce us, and if not to bury us, at least to tell us when we are dead and to see to it that our funeral expenses are paid.

Yet this extraordinary faith in the courts, Judge Hufstedler pointed out, has its drawbacks:

> WE ARE DISMAYED TO DISCOVER THAT OVERWHELMED COURTS CANNOT HEAR OUT COMPLAINTS FOR MONTHS AND EVEN YEARS, THAT THE LITIGIOUS PATH TO JUSTICE IS EXCEEDINGLY COSTLY, AND THAT OUR PROBLEMS DO NOT VANISH UPON THE ISSUANCE OF A COURT DECREE. WE ARE EVEN MORE DISTRESSED THAT COURTS DO NOT ALWAYS DECIDE CASES "RIGHT", AND THAT SOME COURTS REFUSE TO DECIDE SOME CASES AT ALL. YET THE RUSH TO THE COURTS IS UNABATED, AND SIGNS APPEAR THAT THE PRACTICE IS ACCELERATING.

I DO NOT KNOW THAT THE "RUSH TO THE COURTS" IN ENVIRONMENTAL DISPUTES IS INDEED ACCELERATING. RELIABLE STATISTICS ON THIS QUESTION ARE DIFFICULT TO COME BY. AS REGARDS THE BASIC LAW OF MOST CONCERN TO CEQ -- THE NATIONAL ENVIRONMENTAL POLICY ACT -- IT APPEARS TO US THAT THE AMOUNT OF LITIGATION RELATED TO NEPA ISSUES IS LEVELING OFF; WE FOUND A SLIGHT INCREASE IN THE NUMBER OF SUCH CASES LAST YEAR, BUT THE NUMBER WAS SO SLIGHT THAT WE SUSPECT THE REAL TREND IS TOWARD A PLATEAU, NOT TOWARD A RISING SLOPE.

REGARDLESS OF THE TREND, MANY OF US ARE WONDERING WHETHER THERE IS NOT A MORE EFFICIENT WAY TO RESOLVE AT

LEAST SOME ENVIRONMENTAL DISPUTES. MUST WE GO TO COURT ON EVERY SUCH DISPUTE? OR DO SOME LEND THEMSELVES TO CHEAPER, FASTER, AND PERHAPS MORE AMICABLE SETTLEMENT?

ANSWERING THOSE QUESTIONS IS, OF COURSE, THE REASON FOR OUR BEING HERE THIS EVENING AND FOR THE NEXT TWO DAYS. MEDIATION HAS BEEN PROPOSED AS AN ALTERNATIVE TO LITIGATION -- AND WE ARE ALL CURIOUS ABOUT THE PROSPECTS FOR APPLYING THIS OLD CONCEPT TO THE ENVIRONMENTAL FIELD. I WOULD LIKE TO RENDER SOME DEFINITIVE, SOLOMON-LIKE VERDICT ON THE FUTURE OF ENVIRONMENTAL MEDIATION...BUT I CANNOT. THE FIELD IS TOO NEW; WE HAVE HAD TOO LITTLE EXPERIENCE WITH IT; WE ARE ALL STILL GROPING TO UNDERSTAND ITS POSSIBILITIES AND LIMITATIONS. RATHER THAN TRYING TO ASSERT ANY ULTIMATE WISDOM ON THIS MATTER, THEREFORE, I SHALL COUNT ON YOUR TOLERANCE WHILE I GROPE ALONG WITH YOU.

LET ME BEGIN WITH A FEW GENERAL OBSERVATIONS.

FIRST: THE EMERGENCE OF A DISTINCTIVE CLASS OF COURT CASES DUBBED "ENVIRONMENTAL" IS NOT AT ALL A SYMPTOM OF DECAY WITHIN THE REPUBLIC, BUT A SYMPTOM OF HEALTH. IT PROVES THAT OUR PROCEDURES FOR GIVING THE MIGHTY AND THE HUMBLE AN EQUALITY BEFORE THE LAW ARE WORKING; THAT WE ARE TAKING ENVIRONMENTAL PROTECTION SERIOUSLY; AND THAT A MAJOR CHANGE IN CONSCIOUSNESS HAS OCCURRED IN THE COUNTRY IN A

RATHER BRIEF PERIOD. THAT "CHANGE" WOULD INCLUDE THE VIEWS THAT NOT ALL DEVELOPMENT IS PROGRESS, AND THAT NOT ALL CONSERVATION IS NON-PRODUCTIVE.

SECOND: ENVIRONMENTAL DISPUTES OFTEN DIFFER FROM OTHER TYPES OF DISPUTES IN ONE CRITICAL RESPECT: THE ACTION OPPOSED IS ONE WHOSE EFFECTS MAY BE, FOR ALL PRACTICAL PURPOSES, IRREVOCABLE. WHILE MANY HUMAN AGREEMENTS, RANGING FROM LABOR CONTRACTS THROUGH DIVORCE SETTLEMENTS, CAN BE RE-OPENED FOR SUBSEQUENT REVISIONS, MANY HUMAN ACTIONS AFFECTING THE ENVIRONMENT ARE FINAL. ONCE TAKEN, THEIR EFFECTS CANNOT BE REPAIRED OR ERASED. THIS FINALITY OFTEN ADDS TO ENVIRONMENTAL DISPUTES A NOTE OF LAST-DITCH INTENSITY THAT HARDENS OPPOSITION AND MAKES IT VIRTUALLY IMPOSSIBLE TO LOCATE AN INTERMEDIATE GROUND FOR NEGOTIATION.

THIRD: WHATEVER THE POTENTIAL FOR MEDIATION OF ENVIRONMENTAL DISPUTES, SOME OF THEM DO NOT LEND THEMSELVES TO NEGOTIATION. THESE LATTER, WHICH MIGHT BE TERMED "EITHER-OR" CASES, WILL ALWAYS WIND UP IN THE COURTS BECAUSE THERE IS NO MIDDLE GROUND BETWEEN THE ADVOCATES FOR NEGOTIATION.

SUCH CASES MIGHT INCLUDE, FOR EXAMPLE, THE BREEDER REACTOR; OPPONENTS OF THE BREEDER ARE NOT WILLING TO SETTLE FOR A SMALL BREEDER AS OPPOSED TO A LARGE ONE. THEY ARE FLATLY OPPOSED TO COMMERCIALIZING THE BREEDER ON ANY SCALE.

ANOTHER CLASS OF SUCH DISPUTES WOULD INCLUDE LITIGATION BROUGHT TO SET A PRECEDENT OR CLARIFY THE MEANING OF A LAW, SO THAT THE VERDICT WOULD HOLD FOR MANY ACTIONS OTHER THAN THE SPECIFIC ACTION AT ISSUE.

FINALLY, ANOTHER INSTANCE OF AN "EITHER-OR" CASE THAT WOULD NOT LEND ITSELF TO MEDIATION IS ONE IN WHICH DELAYING AN ACTION INDEFINITELY REPRESENTS VICTORY FOR A PLAINTIFF, WHILE COMPROMISE OFFERS NO BENEFIT. AN ENVIRONMENTAL ORGANIZATION MIGHT, FOR EXAMPLE, PROLONG LITIGATION IN THE HOPE THAT COSTS WILL FINALLY MAKE A PROJECT UNECONOMIC. OR A CORPORATION MIGHT STALL THE APPLICATION OF NEW REGULATORY STANDARDS TO AVOID HAVING TO MAKE A CAPITAL INVESTMENT IN POLLUTION CONTROLS FOR YEARS.

IT IS PROBABLY WORTHWHILE FOR THOSE INTERESTED IN MEDIATION TO TRY TO DEFINE THESE AND OTHER NON-NEGOTIABLE CASES BEFOREHAND -- NOT ONLY TO AVOID SPENDING PRECIOUS EFFORT WHERE IT IS BOUND TO FAIL, BUT ALSO TO AVOID DISCREDITING THE CONCEPT OF MEDIATION BY INTRODUCING IT INTO INTRACTABLE CONFLICTS.

AFTER THESE PROBABLE EXCEPTIONS HAVE BEEN TAKEN INTO ACCOUNT, HOWEVER, WE ARE LEFT WITH A RESIDUE OF DISPUTES THAT DO LEND THEMSELVES TO MEDIATION. ONE MIGHT CHARACTERIZE THESE AS THE "HALF-A-LOAF" DISPUTES, IN WHICH NEITHER PARTY WILL GET ALL THE BREAD HE WANT, BUT NEITHER WILL HE STARVE.

NOR WILL HE OBJECT IF THE OTHER PARTY DOES NOT STARVE. THE VERY FACT THAT SOME DISPUTES HAVE BEEN SO MEDIATED PROVES THIS TO BE THE CASE. AND A CURSORY REVIEW OF SOME OF THOSE DISPUTES SUGGESTS TO ME THAT THERE ARE TWO HALLMARKS OF A SITUATION THAT CAN BE MEDIATED.

THE FIRST IS THE EXISTENCE OF A COMMON GROUND BETWEEN OPPOSING PARTIES -- A COMMON GROUND THAT MAY HAVE BEEN OVERLOOKED BY THE OPPONENTS BECAUSE OF THEIR MYOPIC FOCUS ON A SINGLE ISSUE.

THE SNOQUALMIE-SNOHOMISH RIVER BASIN DISPUTE AROUND SEATTLE OFFERS A GOOD EXAMPLE OF THIS. I HAVE SEEN SO MANY REFERENCES TO THIS CASE IN THE SLENDER LITERATURE ON MEDIATION THAT I WILL ASSUME MOST OF YOU ARE FAMILIAR WITH IT. JUST TO REFRESH YOUR MEMORIES AND TO EXPLAIN MY POINT, I WILL SUMMARIZE IT.

FOLLOWING A SERIOUS FLOOD IN 1959, RESIDENTS AND FARMERS IN A FLOOD PLAIN TO THE EAST OF SEATTLE WANTED A DAM BUILT ON ONE FORK OF THE SNOQUALMIE. A COALITION OF CITIZEN AND ENVIRONMENTALIST GROUPS OPPOSED THE DAM BECAUSE IT WOULD OPEN THE FLOOD PLAIN TO FURTHER RESIDENTIAL DEVELOPMENT, PROMOTE URBAN SPRAWL, AND INTERRUPT A FREE-FLOWING RIVER. FROM 1972 THROUGH EARLY 1974, POSITIONS ON BOTH SIDES HARDENED; THROUGH DELAYING TACTICS OF VARIOUS KINDS, IT

BECAME CLEAR THAT EACH SIDE COULD IMPOSE AN INDEFINITE VETO ON THE OTHER. THE FARMERS WOULD GET NO DAM, AND THE ENVIRONMENTALISTS WOULD GET NO LAND USE CONTROLS.

THEN, IN 1974, GOVERNOR EVANS APPOINTED GERALD CORMICK AND JANE MCCARTHY, OF THE ENVIRONMENTAL MEDIATION PROJECT AT THE UNIVERSITY OF WASHINGTON, AS MEDIATORS. THEY SOON MADE AN INTERESTING DISCOVERY: WHEREAS, IN SIMPLEST TERMS, ONE GROUP WANTED THE DAM AND THE OTHER DID NOT, THEIR OBSESSION WITH THE PROPOSED STRUCTURE CONCEALED A LARGER, SHARED INTEREST: BOTH GROUPS WANTED TO PRESERVE THE PREDOMINATELY RURAL CHARACTER OF THE FLOODPLAIN. LET ME QUOTE FROM A PAPER BY DR. CORMICK AND LEOTA PATTON:

> THE ENVIRONMENTALISTS DISCOVERED THAT THE FARMERS DID NOT WISH TO SELL THEIR LAND TO SUBDIVIDERS AND WOULD, IN FACT, SUPPORT STRINGENT CONTROLS TO PREVENT SUCH DEVELOPMENT. THE RESIDENTS OF THE TOWNS AND SURROUNDING AREAS BEGAN TO LISTEN TO AND UNDERSTAND THE DEVELOPMENT CONCERNS OF THE ENVIRONMENTALISTS AND RECOGNIZED THAT UNCONTROLLED DEVELOPMENT WOULD MAKE THE VALLEY LESS DESIRABLE TO THEM AS WELL. THE ENVIRONMENTALISTS DISCOVERED THAT SPRAWL WAS OCCURRING LEGALLY AND ILLEGALLY <u>DESPITE</u> THE FLOODING, AND THAT CONTINUED

FLOODING WAS NOT, IN ITSELF, AN ADEQUATE TOOL FOR GROWTH CONTROL. THE ENVIRONMENTALISTS ALSO BEGAN TO PERCEIVE THAT ANY "WIN" PREDICATED ONLY ON DELAY WAS TEMPORARY, AND THAT A FUTURE SERIOUS FLOOD -- AS WAS TO OCCUR IN DECEMBER, 1975 -- COULD NOT ONLY LEAD TO A DAM BEING BUILT, BUT TO THE ENVIRONMENTALISTS BEING BLAMED FOR DAMAGES AND INJURIES.

WITH THIS PERCEPTION OF COMMON GROUND -- AN INTEREST BY ALL PARTIES IN CONTROLLING URBAN SPRAWL WHILE PROVIDING LEGITIMATE PROTECTION AGAINST ECONOMIC LOSS -- THE MEDIATORS WERE ABLE TO MOVE THE DISCUSSION BEYOND THE DAM ITSELF TO AND AGREEMENT THAT MET EVERYONE'S CONCERNS. THE DAM WAS BUILT, BUT IN A DIFFERENT PLACE; DEVELOPMENT WAS CONTROLLED BY THE PURCHASE OF DEVELOPMENT RIGHTS FROM THE FARMERS; AND A COUNCIL WAS ESTABLISHED TO COORDINATE PLANNING FOR THE ENTIRE RIVER BASIN. PERHAPS THE EXISTENCE OF SUCH COMMON GROUND, IN THE MIDST OF ISSUES THAT SEPARATE THE PARTIES, IS ONE CHARACTERISTIC OF A DISPUTE AMENABLE TO MEDIATION.

THE SECOND CHARACTERISTIC, IT APPEARS TO ME, IS THE EXISTENCE OF ADEQUATE MITIGATION MEASURES, AND THE WILLINGNESS OF THE APPROPRIATE PARTY TO UNDERTAKE THEM. HERE I CAN REACH TO THE OTHER COAST AND CITE THE WHITE FLINT

SHOPPING MALL DISPUTE IN SUBURBAN WASHINGTON, D.C., SUCCESSFULLY MEDIATED BY MALCOLM RIVKIN AND HIS ASSOCIATES.

THE SITUATION, IN BRIEF, WAS AS FOLLOWS: IN THE LATE 1960'S, A DEVELOPER HOPING TO BUILD A BLOOMINGDALE'S DEPARTMENT STORE IN MONTGOMERY COUNTY, MARYLAND, WAS DEFEATED BY CITIZEN OPPOSITION TO HIS REQUEST FOR A REZONING. UNWILLING TO ABANDON WHAT APPEARED TO BE A LUCRATIVE MARKET, THE DEVELOPER SOUGHT A NEW SITE IN THE SAME AREA.

THE NEXT TIME AROUND, HOWEVER, THE DEVELOPER ALSO ADOPTED A NEW APPROACH. INSTEAD OF TRYING TO WIN THE REZONING THROUGH A PUBLIC RELATIONS EFFORT BACKED UP BY A ZONING LAWYER, HE OPTED TO SOLICIT CITIZEN SUPPORT THROUGH A MEDIATION PROCESS, DIRECTED BY MR. RIVKIN AND A DIFFERENT ATTORNEY. THE RESULT WAS A SUCCESSFUL EFFORT CULMINATING IN THE OPENING OF A MUCH LARGER SHOPPING CENTER COMPLEX IN 1977. BUT THE CRITICAL DIFFERENCE WAS THE DEVELOPER'S WILLINGNESS TO GO FAR BEYOND COUNTY ZONING REQUIREMENTS IN PROTECTING NEARBY RESIDENTS FROM THE SECONDARY IMPACTS OF THE SHOPPING CENTER.

FOR EXAMPLE, THE FINAL AGREEMENT -- SPELLED OUT IN A LEGAL DOCUMENT ENFORCEABLE THROUGH THE COURTS -- PROVIDED FOR REVIEW OF SITE-DESIGN AND EVEN LIGHTING BY THE LOCAL CITIZENS' ASSOCIATION; A HEIGHT LIMIT OF 60 FEET ON ALL BUILDINGS, EVEN THOUGH THE ZONING ORDINANCE PERMITTED

140 FEET; MEASURES TO PREVENT VEHICLES OR SHOPPERS FROM ENTERING THE ADJOINING RESIDENTIAL NEIGHBORHOOD; AGREEMENT ON THE PROVISION OF 24-HOUR SECURITY BY THE DEVELOPER, AND A BAN ON GASOLINE STATIONS OR DRIVE-IN RESTAURANTS.

MOST IMPORTANT OF ALL, HOWEVER, WERE TWO FINAL PROVISIONS: THE DEVELOPER AGREED TO ERECT A LANDSCAPED BARRIER THAT WOULD PROVIDE TOTAL VISUAL AND PHYSICAL SEPARATION BETWEEN THE SHOPPING CENTER AND THE ADJOINING HOUSES; AND HE FURTHER AGREED TO COMPENSATE THE OWNERS OF SEVERAL ADJOINING HOUSES FOR ANY LOSS IN PROPERTY VALUES FOR A PERIOD OF FIVE YEARS -- EITHER BY PAYING THE DIFFERENCE OR BY BUYING THE HOUSE OUTRIGHT, AT THE OPTION OF THE OWNER.

THIS CASE AND SEVERAL OTHERS SUGGEST THAT THE CRUCIAL QUESTIONS ABOUT MITIGATION ARE TWO: FIRST, CAN THE MEDIATOR, BACKED UP BY THE NECESSARY TECHNICAL EXPERTS, DEVISE MITIGATION MEASURES THAT ADEQUATELY MEET THE OBJECTIONS OF THE OPPONENTS? SECOND, CAN THE SPONSOR -- BE THAT A DEVELOPER, A CORPORATION, OR A GOVERNMENT AGENCY -- PROVIDE THOSE MITIGATION MEASURES WITHIN ECONOMIC OR FISCAL LIMITS? IF THE ANSWER TO BOTH THESE QUESTIONS IS "YES", AND IF THE DISPUTE DOES NOT FALL INTO THE CATEGORIES I DESCRIBED EARLIER AS "EITHER-OR" CASES, THEN I SUGGEST THE DISPUTE IS A CANDIDATE FOR MEDIATION.

I NOTE, ON BROWSING THROUGH LITERATURE IN THE FIELD, THAT DEFINITIONS OF "MEDIATION" VARY. ALL AUTHORS AGREE THAT MEDIATION DIFFERS FROM ARBITRATION, IN THAT THE PARTIES DO NOT BIND THEMSELVES TO ACCEPT THE DECISION OF A THIRD PARTY: THEY REMAIN FREE TO ACCEPT OR REJECT AGREEMENT. BEYOND THAT, SOME PEOPLE DESCRIBE MEDIATION LOOSELY AS A SEARCH FOR COMPROMISE -- WHAT LYNDON JOHNSON MEANT WHEN HE SAID, AS HE SO OFTEN DID, "LET US REASON TOGETHER." DR. CORMICK DESCRIBES THE PROCESS MUCH MORE STRICTLY, AND SPECIFIES AS ONE REQUIREMENT FOR MEDIATION THAT THE PARTIES MUST HAVE ARRIVED AT AN IMPASSE: NEITHER CAN MOVE WITHOUT THE OTHER.

I WANT TO ADOPT A LOOSER DEFINITION OF MEDIATION THIS EVENING TO POINT OUT WHAT STRIKES ME AS A PROMISING NEW OPPORTUNITY FOR THE SKILLS THAT MEDIATION INVOLVES. THAT OPPORTUNITY STEMS FROM THE NEW NEPA REGULATIONS, DEVELOPED BY CEQ AND NOW BEING CIRCULATED THROUGH FEDERAL AGENCIES FOR REVIEW. RATHER THAN <u>DEPENDING</u> ON IMPASSE, SUCH MEDIATION MIGHT HELP US <u>PREVENT</u> IT IN SOME CASES.

QUITE OFTEN IN THE PAST, ENVIRONMENTAL IMPACT STATEMENTS HAVE SET THE STAGE FOR CONFRONTATION BETWEEN AGENCIES AND ENVIRONMENTAL GROUPS, OFFERING OPPONENTS OF AN ACTION A TARGET TO SHOOT AT. THE NEW REGULATIONS, DESIGNED AFTER EXTENSIVE PUBLIC HEARINGS, ATTEMPT TO MAKE

THE EIS A FRAMEWORK FOR BARGAINING, RIGHT FROM THE OUTSET OF THE FEASIBILITY ASSESSMENT PROCESS. FOR EXAMPLE, THOSE REGULATIONS RECOMMEND A MAXIMUM OF 150 PAGES FOR MOST IMPACT STATEMENTS, AND 300 PAGES FOR UNUSUALLY COMPLEX ONES.

BUT THIS PAGE LIMIT BY ITSELF WILL NOT REALLY HELP APPLICANTS PREPARE A GOOD EIS. WHAT DO YOU INCLUDE IN THOSE 150 PAGES, AND WHAT DO YOU OMIT? MANY EIS'S HAVE BEEN CRITICIZED FOR INCLUDING ALL KINDS OF BARELY RELEVANT ECOLOGICAL INFORMATION -- WHAT WE HAVE COME TO TERM "DANDELION COUNTS" -- SO THAT ESSENTIAL MATTERS ARE OBSCURED BY PYRAMIDS OF DATA. ON THE OTHER HAND, ONE CORPORATE ATTORNEY SAID DURING OUR HEARINGS THAT HE COULD NOT IN GOOD CONSCIENCE ADVISE HIS COMPANY TO ABANDON DANDELION COUNTS: UNLESS HIS COMPANY KNEW BEFOREHAND THE SPECIFIC GROUND ON WHICH A PROPOSAL MIGHT BE ATTACKED, ITS EIS WOULD HAVE TO COVER EVERY CONCEIVABLE CRITICISM, TRIVIAL OR OTHERWISE.

IN RESPONSE TO THIS LEGITIMATE COMPLAINT, OUR PROPOSED REGULATION CALL FOR AN EARLY "SCOPING" PROCESS. IN ESSENCE, THIS REQUIRES A FEDERAL AGENCY TO DECIDE WHICH ISSUES REQUIRE EXTENSIVE ANALYSIS IN THE EIS, AND WHICH CAN BE TREATED BRIEFLY. OUR REGULATIONS RECOGNIZE THAT AGENCIES AND CITIZEN'S GROUPS WILL HAVE TO COOPERATE IN DEFINING WHICH MATTERS ARE CENTRAL AND WHICH ARE PERIPHERAL IN ANY INDIVIDUAL EIS.

EVEN THOUGH IT WOULD NOT NECESSITATE THE INTERVENTION OF A THIRD PARTY, THE "SCOPING" PROCESS, SURELY, WILL CALL UPON SOME OF THE TECHNIQUES AND SKILLS THAT HAVE BEEN IDENTIFIED AS CENTRAL TO MEDIATION. GIVEN A GOOD-FAITH EFFORT, A FEDERAL AGENCY OR ITS PRIVATE APPLICANT CAN USUALLY IDENTIFY THE ENVIRONMENTAL INTERESTS LIKELY TO OPPOSE AN ACTION; CASE HISTORIES ON SUCCESSFUL MEDIATION PROVE THAT. ONCE THOSE INTERESTS HAVE BEEN IDENTIFIED, IT SHOULD BE POSSIBLE FOR AN AGENCY AND THE OPPONENTS OF AN ACTION TO SPECIFY WHICH IMPACTS AND ALTERNATIVES TO ANALYZE IN AN EIS. THEY SHOULD BE ABLE TO AGREE THAT A RELATIVELY FEW ISSUES REQUIRE A CLOSE LOOK, WHILE SEVERAL OTHERS CAN BE TREATED IN A SUMMARY FASHION.

THIS PROCESS DOES NOT GUARANTEE HARMONY -- BUT IT WILL, AT LEAST, SPELL OUT WHAT THE PARTICIPANTS HAVE AGREED TO DISAGREE ABOUT. IT WILL FOCUS THE DISCUSSION ON CRITICAL MATTERS RIGHT FROM THE START, SO THAT THE EIS BECOMES AN AUTHENTIC INSTRUMENT FOR ANALYSIS, RATHER THAN A PATCHWORK RATIONALE FOR A DECISION ALREADY MADE.

FURTHER, MEDIATION TECHNIQUES COULD BECOME IMPORTANT IN SEEKING AGREEMENT ON WHICH MEASURES SHOULD BE TAKEN TO MITIGATE THE ENVIRONMENTAL EFFECTS OF A PROPOSED ACTION. IN THE SNOQUALMIE DISPUTE IN WASHINGTON, WE SAW THAT ENVIRONMENTALISTS WERE WILL TO ACCEPT A DAM IF THEIR

OPPONENTS WOULD SUPPORT ADEQUATE LAND USE CONTROLS; IN A SUBSTANTIAL NUMBER OF CASES, I SUSPECT OPPOSITION TO A PROJECT CAN BE ELIMINATED IF PROJECT SUPPORTERS WILL ENDORSE SPECIFIC MITIGATION ACTIONS. SUCH AGREEMENT WOULD TAKE ON NEW IMPORTANCE UNDER OUR PROPOSED REGULATIONS, BECAUSE THEY PROVIDE FOR FOLLOW-UP TO ENSURE THAT SUCH MEASURES HAVE IN FACT BEEN TAKEN.

TO REPEAT, NEGOTIATION OF THIS SORT DOES NOT FALL UNDER THE STRICT DEFINITION OF "MEDIATION" IN THE SENSE THAT CONTENDING PARTIES INVITE A THIRD PERSON AS REFEREE. YET IT COULD QUITE CONCEIVABLY BECOME SO, IF THE FIELD DEVELOPS TO THE POINT WHERE FEDERAL AGENCIES FIND IT ADVISABLE TO RETAIN MEDIATION SPECIALISTS ON THEIR STAFFS, OR IF PRIVATE APPLICANTS FIND THIRD PARTIES MORE ACCEPTABLE TO ENVIRONMENTALIST OPPONENTS. IN THIS CONNECTION, I FOUND IT STRIKING THAT MR. RIVKIN, WHO SUCCESSFULLY REFEREED THE WHITE FLINT DISPUTE, WAS HIRED BY THE DEVELOPER. THUS THE <u>SOURCE</u> OF THE FUNDING NEED NOT INEVITABLY AFFECT CREDIBILITY. FINALLY, AS THE STATES AND LOCALITIES WORK TO MAKE THEIR ONW "LITTLE NEPA'S" MORE EFFICIENT, THEY MAY FIND IT WORTHWHILE TO ADOPT SUCH TECHNIQUES AS "SCOPING", WITH ITS IMPLICATIONS FOR MEDIATION.

I CAN ONLY GUESS AT THE POSSIBILITIES FOR THIS NEW CONCEPT. JOHN BUSTERUD AND THE OTHER FOUNDERS OF RESOLVE

HAVE PINPOINTED A NUMBER OF THE PROBLEMS THAT CONFRONT THE SUCCESSFUL, WIDESPREAD USE OF MEDIATION: TRAINING FOR MEDIATORS; THE CREATION OF REFERRAL SERVICES; THE FUNDING OF SUCH EFFORTS, AS WELL AS FINDING A WAY TO PAY FOR THE SERVICES OF MEDIATORS ENGAGED IN SPECIFIC DISPUTES.

PERHAPS THE MOST IMPORTANT STEP HAS ALREADY BEEN TAKEN, IN THAT THIS AND OTHER MEETINGS ARE CALLING ATTENTION TO THIS PROMISING NEW CONCEPT. THE ATMOSPHERE SEEMS RIGHT FOR MEDIATION: WHETHER GRUDGINGLY OR WILLINGLY, GOVERNMENT AGENCIES, CORPORATIONS, AND DEVELOPMENT INTERESTS ARE TAKING THE ENVIRONMENTAL POINT OF VIEW SERIOUSLY. THEY RECOGNIZE THAT IT CAN NEITHER BE RIDICULED NOR STEAMROLLERED OUT OF EXISTENCE, AND THEY HAVE SUFFERED FROM PROLONGED LITIGATION. ON THE OTHER SIDE, ENVIRONMENTALISTS ARE COMING TO RECOGNIZE THAT, AS JUDGE HUFSTEDLER WROTE:

> COURTS ARE PRIMARILY DECIDERS, NOT SUPERVISORS OR SOCIAL PROBLEM SOLVERS. JUDGES KNOW, FOR INSTANCE, THAT WHEN THEY DECIDE THAT A SCHOOL SYSTEM MUST BE INTEGRATED, THEY ARE NOT "SOLVING" RACIAL HATREDS: WHEN JUDGES GRANT DIVORCES, THEY ARE NOT "SOLVING" MATRIMONIAL PROBLEMS. EVILS DO NOT VANISH WITH THE WAVE OF A COURT DECREE.

SIMILARLY, "YES" OR "NO" VERDICTS MAY SATISFY ONE PARTY TO AN ENVIRONMENTAL DISPUTE, BUT THEY DO NOT SOLVE THE DISPUTE. LITIGATION HAS BEEN AND WILL CONTINUE TO BE ESSENTIAL TO ENVIRONMENTAL PROTECTION; IT IS NOT, HOWEVER, ANY SUBSTITUTE FOR A CONTINUING EFFORT TO INTEGRATE ECONOMIC GROWTH WITH ENVIRONMENTAL HEALTH.

OUR NATION BADLY NEEDS BOTH. I AM CONVINCED, AS MOST ENVIRONMENTALISTS ARE, THAT WE CAN HAVE BOTH. BUT IT IS MEDIATION AIMED AT SOLUTION, NOT LITIGATION AIMED AT DECISION, THAT MUST PROVE THIS THESIS.

CAN MEDIATION ACCOMPLISH THIS?

I DON'T KNOW...BUT I AM REMINDED IN THIS CONTEXT OF ADVICE PRESIDENT FRANKLIN ROOSEVELT ONCE GAVE AN AIDE: "TAKE A METHOD AND TRY IT," HE SAID. "IF IT FAILS, TRY ANOTHER. BUT ABOVE ALL, TRY SOMETHING."

MEDIATION LOOKS GOOD. I SAY LET'S TRY IT.

FROM 12-01-77
TO 12-31-77

COUNCIL ON ENVIRONMENTAL QUALITY

01-26-78

STATEMENT TITLE INDEX - BY STATE AND COUNTY

STATE	COUNTY	STATUS	STATEMENT TITLE	ACCESSION NUMBER	DATE FILED	ORIG AGENCY NUMBER
		DRAFT	Northern Anchovy Fishery Management Plan	71518	12-14-77	DOC
		DRAFT	Fuel Economy Standards for Nonpassenger Vehicles	71522	12-09-77	DOT
		FINAL	Alternative Fuels Demonstration Program	71464	12-01-77	ERDA
		FINAL	Missouri R. Reservoirs, Water for Energy	71466	12-01-77	DOI
		FINAL	White Amur Introduction, Canal Zone Waters	71497	12-08-77	CZG
		FINAL	National Airport System Plan (NASP)	71545	12-23-77	DOT
		FINAL	New Panama Canal Treaty	71549	12-27-77	STAT
		FINAL	Occupational Exposure to Cotton Dust, Standard	71542	12-23-77	DLAB
Alabama	Sumter	DRAFT	Factory Creek Watershed	71490	12-07-77	USDA
Alaska		DRAFT	Shakwak Highway Improvement	71565	12-30-77	DOT
Arizona	Coconino	DRAFT	Colorado River Management, Grand Canyon NP	71511	12-12-77	DOI
	Mohave	DRAFT	Colorado River Management, Grand Canyon NP	71511	12-12-77	DOI
Arkansas		FINAL	Poteau River Small Navigation Project	71544	12-23-77	COE
California		DRAFT	Santa Maria, Ca.-Westside Rehabilitation	71467	12-01-77	HUD
	Alpine	FINAL	California 89, Alpine Co.	71521	12-15-77	DOT
	Los Angeles	DRAFT	Central Los Angeles Parking Facility	71483	12-06-77	GSA
	San Bernadino	DRAFT	EXPO 1981, Los Angeles	71538	12-22-77	DOC
	San Mateo	DRAFT	Parkwood 101, Ltd., Permit Application	71469	12-01-77	COE
Colorado	Arapahoe	DRAFT	The Highlands Subdivision	71539	12-23-77	HUD
	Several	SUPPLE	Rio Grande NF Timber Management	71481	12-05-77	USDA
Connecticut	New Haven	DRAFT	Neck River Watershed	71543	12-23-77	USDA
Delaware	Sussex	FINAL	Keenwick West Addition	71535	12-22-77	COE
Florida	Dade	DRAFT	Dade County Metro Rail Transit	71561	12-30-77	DOT
	Duval	DRAFT	Beaver Street, US 90, Duval County	71519	12-15-77	DOT
	Hillsborough C	DRAFT	Northdale and Ranchester Subdivisions	71564	12-30-77	HUD

FROM 12-01-77
TO 12-31-77

COUNCIL ON ENVIRONMENTAL QUALITY

01-26-78

STATEMENT TITLE INDEX - BY STATE AND COUNTY

STATE	COUNTY	STATUS	STATEMENT TITLE	ACCESSION NUMBER	DATE FILED	ORIG AGENCY NUMBER
Georgia		FINAL	Fleet Ballistic Missile, Kings Bay	71513	12-12-77	USN
	Several	DRAFT	Metro Atlanta & Lake Sidney Lanier, Water Study	71504	12-09-77	COE
Idaho	several	DRAFT	W. Spruce Budworm Management, Boise and Payette NF	71530	12-20-77	USDA
	Fremont	DRAFT	Island Park Planning Unit	71560	12-30-77	USDA
Illinois	Cook	FINAL	F.A.S. 143	71505	12-09-77	DOT
	DeWitt	SUPPLE	Clinton Power Station Units 192 (S-1)	71562	12-30-77	USDA
	DuPage	FINAL	F.A.S. 143	71505	12-09-77	DOT
	Jackson	FINAL	Carbondale, Ill.-Drainways/Greenways Demo Project	71494	12-06-77	HUD
	Madison	DRAFT	IL-9, Highway Improvement Near Alexandria	71516	12-13-77	DOT
Indiana	Jefferson	SUPPLE	The Rural Electrification Administration has subse	71563	12-30-77	USDA
Iowa		DRAFT	161 kV Transmission Line, Genoa, WI to Lansing, IO	71546	12-27-77	USDA
	Grundy	FINAL	Freeway 520, Hardin and Grundy Cos., Iowa	71491	12-07-77	DOT
	Hamilton	FINAL	Freeway 520, Hamilton-Hardin Counties	71487	12-07-77	DOT
	Hardin	FINAL	Freeway 520, Hamilton-Hardin Counties	71487	12-07-77	DOT
		FINAL	Freeway 520, Hardin and Grundy Cos., Iowa	71491	12-07-77	DOT
	Johnson	FINAL	Freeway 518 and Iowa 92 Relocation	71495	12-06-77	DOT
	Washington	FINAL	Freeway 518 and Iowa 92 Relocation	71495	12-06-77	DOT
Kansas	Cloud	FINAL	U.S. 81, U.S. 81 - K-93 Junction to U.S. 36	71510	12-12-77	DOT
	Johnson	SUPPLE	I-435 Extension, Johnson & Wyandotte Co. (S-1)	71506	12-12-77	DOT
	McPherson	FINAL	Kanopolis Lake, Kansas, O&M	71536	12-22-77	COE
	Ottowa	FINAL	U.S. 81, U.S. 81 - K-93 Junction to U.S. 36	71510	12-12-77	DOT
	Republic	FINAL	U.S. 81, U.S. 81 - K-93 Junction to U.S. 36	71510	12-12-77	DOT
	Saline	FINAL	Kanopolis Lake, Kansas, O&M	71536	12-22-77	COE
	Wyandotte	SUPPLE	I-435 Extension, Johnson & Wyandotte Co. (S-1)	71506	12-12-77	DOT
Kentucky	Pike	FINAL	Johns Creek Railway Line	71537	12-22-77	DOT
Maine		DRAFT	NE Spruce Budworm Suppression Project	71558	12-29-77	USDA

STATEMENT TITLE INDEX - BY STATE AND COUNTY

STATE	COUNTY	STATUS	STATEMENT TITLE	ACCESSION NUMBER	DATE FILED	ORIG AGENCY NUMBER
Maine	Oxford	DRAFT	South Paris Sludge Disposal Alternatives	71528	12-19-77	EPA
Maryland		DRAFT	Potomac River Water Supply Structures	71526	12-16-77	COE
	Baltimore	DRAFT	Allocation of Petroleum Feedstock, Sollers Point	71508	12-12-77	NRC
	Calvert	FINAL	Chalk Pt.-Lexington Park, 230 kV Trans Line	71477	12-05-77	USDA
	Montgomery	FINAL	Seneca State Park, Land Acquisition	71550	12-27-77	DOI
	Prince Georges	FINAL	Chalk Pt.-Lexington Park, 230 kV Trans Line	71477	12-05-77	USDA
	St. Mary's	FINAL	Chalk Pt.-Lexington Park, 230 kV Trans Line	71477	12-05-77	USDA
Michigan		DRAFT	Sebewaing River O/M, Confined Disposal & Flood Con	71527	12-19-77	COE
	several	FINAL	Seafarer ELF Communications System	71512	12-12-77	DOD
	Alcona	DRAFT	Harrisville Harbor, Mitigation of Shore Damage	71479	12-05-77	COE
	Wayne	DRAFT	U.S. Federal Courthouse Annex, Detroit	71566	12-30-77	GSA
Minnesota	Dodge	DRAFT	Zumbro River Watershed, South Fork	71548	12-27-77	USDA
	Hennepin	DRAFT	West Park Hills & Countryside Developments	71534	12-21-77	HUD
	Olmstead	DRAFT	Zumbro River Watershed, South Fork	71548	12-27-77	USDA
	Otter Tail	DRAFT	New Runway 13-31, Fergus Falls Airport	71515	12-13-77	DOT
Mississippi	Harrison	FINAL	Harrison County RR Line, S. Miss. Trans. Co.	71502	12-09-77	ICC
	Several	DRAFT	O/M, Arkabutla, Enid, Grenada, and Sardis Lakes	71503	12-09-77	COE
	Tishomingo	FINAL	Yellow Creek Nuclear Plants, 1 & 2	71465	12-01-77	NRC
	Warren	SUPPLE	Vicksburg Harbor, Mississippi	71509	12-12-77	COE
Montana	Flathead	DRAFT	East Shore Flathead Lake Planning Unit, Flathead N	71482	12-05-77	USDA
	Lake	DRAFT	East Shore Flathead Lake Planning Unit, Flathead N	71482	12-05-77	USDA
	Sanders	FINAL	Big Hole Unit Plan, Lolo N.F.	71492	12-07-77	USDA
Nebraska	several	SUPPLE	O'Neill Unit, Lower Niobrara Division (S-1)	71541	12-23-77	DOI
New Hampshire		DRAFT	US 3-NH-11 Relocation, Franklin to Laconia	71478	12-05-77	DOT
New Jersey	Cape May	FINAL	Stocco Homes, Inc. Lagoon Development	71474	12-02-77	COE

STATEMENT TITLE INDEX - BY STATE AND COUNTY

STATE	COUNTY	STATUS	STATEMENT TITLE	ACCESSION NUMBER	DATE FILED	ORIG AGENCY NUMBER
New Jersey	Monmouth	FINAL	Pine Brook Flood Control Project, Manalapan	71553	12-28-77	COE
New Mexico	Albuquerque	FINAL	Heritage Hills Subdivision	71529	12-20-77	HUD
	Bernalillo	DRAFT	Proposed West Mesa Airport	71525	12-16-77	DOT
		FINAL	Taylor Ranch Community	71501	12-09-77	HUD
		FINAL	Heritage Hills Subdivision	71529	12-20-77	HUD
New York	Erie	FINAL	Buffalo Light Rail Rapid Transit	71547	12-27-77	DOT
	Niagara	FINAL	Buffalo Light Rail Rapid Transit	71547	12-27-77	DOT
	Orange	SUPPLE	Federal Correctional Facility, Otisville (S-1)	71524	12-16-77	GSA
	Suffolk	FINAL	Fire Island National Seashore	71472	12-01-77	DOI
North Carolina	Franklin	FINAL	Henderson 201 Wastewater Treatment System	71484	12-06-77	EPA
	Greensboro	FINAL	Greensboro-Guilford Co. 201 Wastewater System	71470	12-01-77	EPA
	Guilford	FINAL	Greensboro-Guilford Co. 201 Wastewater System	71470	12-01-77	EPA
	Vance	FINAL	Henderson 201 Wastewater Treatment System	71484	12-06-77	EPA
	Warren	FINAL	Henderson 201 Wastewater Treatment System	71484	12-06-77	EPA
North Dakota	Grand Forks	DRAFT	US-2, Devils Lake to ND Highway 18	71556	12-29-77	DOT
	Nelson	DRAFT	US-2, Devils Lake to ND Highway 18	71556	12-29-77	DOT
	Ramsey	DRAFT	US-2, Devils Lake to ND Highway 18	71556	12-29-77	DOT
	Traill	DRAFT	Roseville Flood Prevention	71507	12-12-77	USDA
Ohio	Cuyahoga	FINAL	I-480 and S.R. 252, Ohio Turnpike to S.R. 176	71493	12-07-77	DOT
	Erie	DRAFT	Erie Nuclear Plant, Units 1 & 2	71468	12-01-77	NRC
	Lorain	FINAL	I-480 and S.R. 252, Ohio Turnpike to S.R. 176	71493	12-07-77	DOT
Oregon	Clatsop	DRAFT	Pacific Fabricators Steel Yard at Warrenton	71520	12-15-77	COE
	Lincoln	DRAFT	Hebo Planning Unit	71555	12-29-77	USDA
	Tillamook	DRAFT	Hebo Planning Unit	71555	12-29-77	USDA
Pennsylvania	Chester	FINAL	E. Branch Brandywine Creek Watershed	71476	12-05-77	USDA
	Erie	FINAL	L.R. 1127	71486	12-06-77	DOT
	Huntingdon	DRAFT	Raystown Hydropower Plan	71559	12-30-77	COE

FROM 12-01-77
TO 12-31-77

COUNCIL ON ENVIRONMENTAL QUALITY

01-26-78

STATEMENT TITLE INDEX - BY STATE AND COUNTY

STATE	COUNTY	STATUS	STATEMENT TITLE	ACCESSION NUMBER	DATE FILED	ORIG AGENCY NUMBER
Pennsylvania	Westmoreland	FINAL	Wimmerton Planned Unit Development	71500	12-09-77	HUD
South Carolina		DRAFT	12th Street Widening & Extension, City of Cayce	71533	12-21-77	DOT
Tennessee	Knox	DRAFT	I-40 and I-75, Knoxville	71498	12-08-77	DOT
Texas	Brazoria	FINAL	Texas State Highway 35, Proposed Relocation	71554	12-28-77	DOT
		SUPPLE	Bryan Mound Salt Dome (S-1)	71475	12-02-77	DOE
	Harris	DRAFT	Glen Meadows Subdivision, LaPorte	7a496	12-08-77	HUD
		DRAFT	Chimney Hill Subdivision	71488	12-07-77	HUD
		FINAL	Sterling Green Subdivision	71471	12-01-77	HUD
		FINAL	Atascocita Forest Subdivision	71485	12-06-77	HUD
		FINAL	Wingate Subdivision	71514	12-13-77	HUD
		FINAL	Riviera East Subdivision	71540	12-23-77	HUD
		FINAL	Texas State Highway 35, Proposed Relocation	71554	12-28-77	DOT
	Travis	FINAL	Colony Park Subdivision	71551	12-28-77	HUD
Utah	Tooele	FINAL	Tooele, Uta.-City W. Sewer Trunk Line	71489	12-07-77	HUD
Virginia		DRAFT	Potomac River Water Supply Structures	71526	12-16-77	COE
		DRAFT	Berkley Avenue Improvement, Norfolk	71531	12-21-77	DOT
	Pittsylvania	FINAL	Route 265 (Danville Expressway)	71532	12-21-77	DOT
Washington	Kitsap	FINAL	Bremerton, N.Perry, Siverdale, Wa.-Water Systems	71480	12-05-77	HUD
		FINAL	Megan Heights, Proposed Plat	71552	12-28-77	USDA
West Virginia	Boone	DRAFT	Upper Mud River Watershed	71557	12-29-77	USDA
	Cabell	DRAFT	Green Acres to Merricks Creek, Water Line	71499	12-09-77	HUD
	Lincoln	DRAFT	Upper Mud River Watershed	71557	12-29-77	USDA
Wisconsin		DRAFT	161 kV Transmission Line, Genoa, WI to Lansing, IO	71546	12-27-77	USDA
	Kenosha	FINAL	Pleasant Prairie P[illegible] Plant	71517	12-13-77	COE

FROM 12-01-77
TO 12-31-77

COUNCIL ON ENVIRONMENTAL QUALITY

01-26-78

STATEMENT TITLE INDEX - BY STATE AND COUNTY

STATE	COUNTY	STATUS	STATEMENT TITLE	ACCESSION NUMBER	DATE FILED	ORIG AGENCY NUMBER
Wyoming	Sweetwater	DRAFT	Sweetwater Uranium Project	71523	12-16-77	NRC

STATEMENT TITLE INDEX - BY AGENCY, BUREAU, & STATUS

AGENCY / BUREAU	STATUS	STATEMENT TITLE	ACCESSION NUMBER	DATE FILED	NTIS ORDER NUMBER
CANAL ZONE GOVERNMENT					
	FINAL	White Amur Introduction, Canal Zone Waters	71497	12-08-77	(none)
DEPARTMENT OF AGRICULTURE					
Farmers Home Administration					
	FINAL	Megan Heights, Proposed Plat	71552	12-28-77	(none)
Forest Service	FINAL	Big Hole Unit Plan, Lolo N.F.	71492	12-07-77	(none)
	DRAFT	East Shore Flathead Lake Planning Unit, Flathead N	71482	12-05-77	(none)
		W. Spruce Budworm Management, Boise and Payette NF	71530	12-20-77	(none)
		Hebo Planning Unit	71555	12-29-77	(none)
		NE Spruce Budworm Suppression Project	71558	12-29-77	(NONE)
		Island Park Planning Unit	71560	12-30-77	(none)
	SUPPLEM	Rio Grande NF Timber Management	71481	12-05-77	(none)
Rural Electrification Administration					
	DRAFT	161 kV Transmission Line, Genoa, WI to Lansing, IO	71546	12-27-77	(none)
	FINAL	Chalk Pt.-Lexington Park, 230 kV Trans Line	71477	12-05-77	(none)
	SUPPLEM	Clinton Power Station Units 1&2 (S-1)	71562	12-30-77	(none)
		The Rural Electrification Administration has subse	71563	12-30-77	(none)
Soil Conservation Service					
	DRAFT	Factory Creek Watershed	71490	12-07-77	(none)
		Roseville Flood Prevention	71507	12-12-77	(none)
		Neck River Watershed	71543	12-23-77	(none)
		Zumbro River Watershed, South Fork	71548	12-27-77	(none)
		Upper Mud River Watershed	71557	12-29-77	(none)
	FINAL	E. Branch Brandywine Creek Watershed	71476	12-05-77	(none)
DEPARTMENT OF COMMERCE					
	DRAFT	EXPO 1981, Los Angeles	71538	12-22-77	(none)
Nat'l Oceanic and Atmospheric Admin.					
	DRAFT	Northern Anchovy Fishery Management Plan	71518	12-14-77	(none)
DEPARTMENT OF DEFENSE					
DEPARTMENT OF DEFENSE, Navy					
	FINAL	Seafarer ELF Communications System	71512	12-12-77	(none)

FROM 12-01-77
TO 12-31-77

COUNCIL ON ENVIRONMENTAL QUALITY

01-26-78

STATEMENT TITLE INDEX - BY AGENCY, BUREAU, & STATUS

AGENCY / BUREAU	STATUS	STATEMENT TITLE	ACCESSION NUMBER	DATE FILED	NTIS ORDER NUMBER
DEPARTMENT OF DEFENSE, Army Corps					
	DRAFT	Parkwood 101, Ltd., Permit Application	71469	12-01-77	(none)
		Harrisville Harbor, Mitigation of Shore Damage	71479	12-05-77	(none)
		O/M, Arkabutla, Enid, Grenada, and Sardis Lakes	71503	12-09-77	(none)
		Metro Atlanta & Lake Sidney Lanier, Water Study	71504	12-09-77	(none)
		Pacific Fabricators Steel Yard at Warrenton	71520	12-15-77	(none)
		Potomac River Water Supply Structures	71526	12-16-77	(none)
		Sebewaing River O/M, Confined Disposal & Flood Con	71527	12-19-77	(none)
		Raystown Hydropower Plan	71559	12-30-77	(none)
	FINAL	Stocco Homes, Inc. Lagoon Development	71474	12-02-77	(none)
		Pleasant Prairie Power Plant	71517	12-13-77	(none)
		Keenwick West Addition	71535	12-22-77	(none)
		Poteau River Small Navigation Project	71544	12-23-77	(none)
		Pine Brook Flood Control Project, Manalapan	71553	12-28-77	(none)
	SUPPLEM	Vicksburg Harbor, Mississippi	71509	12-12-77	(none)
DEPARTMENT OF DEFENSE, Navy					
	FINAL	Fleet Ballistic Missile, Kings Bay	71513	12-12-77	(none)
DEPARTMENT OF ENERGY					
	SUPPL	Bryan Mound Salt Dome (S-1)	71475	12-02-77	(none)
DEPARTMENT OF HUD					
	DRAFT	Glen Meadows Subdivision, LaPorte	7a496	12-08-77	(none)
		Chimney Hill Subdivision	71488	12-07-77	(none)
		West Park Hills & Countryside Developments	71534	12-21-77	(none)
		The Highlands Subdivision	71539	12-23-77	(none)
		Northdale and Ranchester Subdivisions	71564	12-30-77	(none)
	FINAL	Sterling Green Subdivision	71471	12-01-77	(none)
		Atascocita Forest Subdivision	71485	12-06-77	(none)
		Wimmerton Planned Unit Development	71500	12-09-77	(none)
		Taylor Ranch Community	71501	12-09-77	(none)
		Wingate Subdivision	71514	12-13-77	(none)
		Heritage Hills Subdivision	71529	12-20-77	(none)
		Riviera East Subdivision	71540	12-23-77	(none)
		Colony Park Subdivision	71551	12-28-77	(none)
Section 104(h)					
	DRAFT	Santa Maria, Ca.-Westside Rehabilitation	71467	12-01-77	(none)
		Green Acres to Merricks Creek, Water Line	71499	12-09-77	(none)
	FINAL	Bremerton, N.Perry, Siverdale, Wa.-Water Systems	71480	12-05-77	(none)
		Tooele, Uta.-City W. Sewer Trunk Line	71489	12-07-77	(none)
		Carbondale, Ill.-Drainways/Greenways Demo Project	71494	12-06-77	(none)

FROM 12-01-77
TO 12-31-77

COUNCIL ON ENVIRONMENTAL QUALITY

01-26-78

STATEMENT TITLE INDEX - BY AGENCY, BUREAU, & STATUS

AGENCY / BUREAU	STATUS	STATEMENT TITLE	ACCESSION NUMBER	DATE FILED	NTIS ORDER NUMBER
DEPARTMENT OF INTERIOR					
Bureau of Outdoor Recreation	FINAL	Seneca State Park, Land Acquisition	71550	12-27-77	(none)
Bureau of Reclamation	FINAL	Missouri R. Reservoirs, Water for Energy	71466	12-01-77	(none)
	SUPPLEM	O'Neill Unit, Lower Niobrara Division (S-1)	71541	12-23-77	(none)
National Park Service	DRAFT	Colorado River Management, Grand Canyon NP	71511	12-12-77	(none)
	FINAL	Fire Island National Seashore	71472	12-01-77	(none)
DEPARTMENT OF LABOR	FINAL	Occupational Exposure to Cotton Dust, Standard	71542	12-23-77	(none)
DEPARTMENT OF TRANSPORTATION	DRAFT	Fuel Economy Standards for Nonpassenger Vehicles	71522	12-09-77	(none)
Federal Aviation Administration	DRAFT	New Runway 13-31, Fergus Falls Airport	71515	12-13-77	(none)
		Proposed West Mesa Airport	71525	12-16-77	(none)
	FINAL	National Airport System Plan (NASP)	71545	12-23-77	(none)
Federal Highway Administration	DRAFT	Shakwak Highway Improvement	71565	12-30-77	(none)
	DRAFT	US 3-NH-11 Relocation, Franklin to Laconia	71478	12-05-77	(none)
		I-40 and I-75, Knoxville	71498	12-08-77	(none)
		IL-9, Highway Improvement Near Alexandria	71516	12-13-77	(none)
		Beaver Street, US 90, Duval County	71519	12-15-77	(none)
		Berkley Avenue Improvement, Norfolk	71531	12-21-77	(none)
		12th Street Widening & Extension, City of Cayce	71533	12-21-77	(none)
		US-2, Devils Lake to ND Highway 18	71556	12-29-77	(none)
	FINAL	L.R. 1127	71486	12-06-77	(none)
		Freeway 520, Hamilton-Hardin Counties	71487	12-07-77	(none)
		Freeway 520, Hardin and Grundy Cos., Iowa	71491	12-07-77	(none)
		I-480 and S.R. 252, Ohio Turnpike to S.R. 176	71493	12-07-77	(none)
		Freeway 518 and Iowa 92 Relocation	71495	12-06-77	(none)
		F.A.S. 143	71505	12-09-77	(none)
		U.S. 81, U.S. 81 - K-93 Junction to U.S. 36	71510	12-12-77	(none)
		California 89, Alpine Co.	71521	12-15-77	(none)
		Route 265 (Danville Expressway)	71532	12-21-77	(none)
		Texas State Highway 35, Proposed Relocation	71554	12-28-77	(none)
	SUPPLEM	I-435 Extension, Johnson & Wyandotte Co. (S-1)	71506	12-12-77	(none)
U.S. Coast Guard	FINAL	Johns Creek Railway Line	71537	12-22-77	(none)
Urban Mass Transportation Administration	DRAFT	Dade County Metro Rail Transit	71561	12-30-77	(none)
	FINAL	Buffalo Light Rail Rapid Transit	71547	12-27-77	(none)

FROM 12-01-77
TO 12-31-77

COUNCIL ON ENVIRONMENTAL QUALITY

01-26-78

STATEMENT TITLE INDEX - BY AGENCY, BUREAU, & STATUS

AGENCY / BUREAU	STATUS	STATEMENT TITLE	ACCESSION NUMBER	DATE FILED	NTIS ORDER NUMBER
ENERGY RESEARCH AND DEVELOPMENT ADMIN.					
	FINAL	Alternative Fuels Demonstration Program	71464	12-01-77	(none)
ENVIRONMENTAL PROTECTION AGENCY					
	DRAFT	South Paris Sludge Disposal Alternatives	71528	12-19-77	(none)
	FINAL	Greensboro-Guilford Co. 201 Wastewater System	71470	12-01-77	(none)
		Henderson 201 Wastewater Treatment System	71484	12-06-77	(none)
GENERAL SERVICES ADMINISTRATION					
	DRAFT	U.S. Federal Courthouse Annex, Detroit	71566	12-30-77	(none)
	SUPPLEM	Federal Correctional Facility, Otisville (S-1)	71524	12-16-77	(none)
	DRAFT	Central Los Angeles Parking Facility	71483	12-06-77	(none)
INTERSTATE COMMERCE COMMISSION					
	FINAL	Harrison County RR Line, S. Miss. Trans. Co.	71502	12-09-77	(none)
NUCLEAR REGULATORY COMMISSION					
	DRAFT	Erie Nuclear Plant, Units 1 & 2	71468	12-01-77	(none)
		Allocation of Petroleum Feedstock, Sollers Point	71508	12-12-77	(none)
		Sweetwater Uranium Project	71523	12-16-77	(none)
	FINAL	Yellow Creek Nuclear Plants, 1 & 2	71465	12-01-77	(none)
STATE DEPARTMENT					
	FINAL	New Panama Canal Treaty	71549	12-27-77	(none)

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

Final — Date

Megan Heights, Proposed Plat — 12/28

Washington
County: Kitsap
The proposed action is a request to subdivide 46 acres of wooded, undeveloped land into 148 lots for single-family detached dwelling units. The property involved in the proposed plat is approximately one mile from the unincorporated community of Manchester and fronts on the west side of California Avenue north of Polk Street. Adverse effects include the clearing of trees for roadway and residence construction, and the destruction of wildlife habitat caused by vegetation removal.

COMMENTS MADE BY: EPA HUD DOC USDA
state and local agencies
concerned groups and individuals
(ELR ORDER # 71552)

Forest Service

Draft — Date

W. Spruce Budworm Management, Boise and Payette NF — 12/20

Idaho
County: several
Proposed are five alternatives for the management of timber resources on 3,017,660 acres infested with or that have a probability of becoming infested with the western spruce budworm in Boise and Payette National Forests, Idaho. The five alternatives are: 1) no action, 2) maximum level of chemical control using Sevin-4 and Orthene, 3) maximum level of chemical control considered using Sevin-4 only, 4) maximum level of intensified silvicultural practices to reduce area of impact, and 5) a combination of treatments with a lesser degree of chemical application.
(ELR ORDER # 71530)

Island Park Planning Unit — 12/30

Idaho
County: Fremont
Proposed is the Island Park Planning Unit in Targhee National Forest, Fremont County, Idaho. The land management plan for the 501,000 acre unit sets forth the allocation of land to various resource uses and

activities: recreation, commodity outputs, environmental considerations, and wilderness studies. Adverse impacts include some road construction, some adverse effects on water quality, and construction effects.
(ELR ORDER # 71560)

NE Spruce Budworm Suppression Project 12/29

Maine
Proposed is the 1978 Cooperative Spruce Budworm Suppression Project in Maine, Vermont, and New Hampshire. The proposed plan concerns a maximum of 2,400,000 acres of state and private woodlands in Maine and 18,000 acres in New Hampshire, and the status of Vermont infestation. Registered use of chemical insecticides, silvicultural practices to reduce infestation potential, accelerated logging to reduce losses, normal forest management practices, and an integrated pest management system are the alternatives being considered to accomplish the objective.
(ELR ORDER # 71558)

East Shore Flathead Lake Planning Unit, Flathead N.F. 12/05

Montana
County: Flathead Lake
Proposed is a revised Multiple Use Plan for the East Shore Flathead Lake Planning Unit, in Flathead National Forest. The action affects 16,400 acres of National Forest land and the recommended plan calls for: 5,560 acres maximum timber production, 4,500 acres low intensive timber management, 3260 acres low intensity timber management, 810 acres low intensity timber management visual quality and whitetailed deer habitat, 2,180 acres elk and deer winter range and dispersed recreation and 90 acres for intensive recreation. Adverse effects include a decrease in water quality due to road construction and maintenance.
(ELR ORDER # 71482)

Hebo Planning Unit 12/29

Oregon
County: Lincoln Tillamook
Proposed is a plan for the future management of National Forest lands within the Hebo Planning Unit, Siuslaw National Forest, Oregon. Specifically, the objective of this statement is to identify the natural resources, their value to society, and the various proposals for using each resource. Five alternative plans are offered. Adverse impacts common to all five alternatives include alteration of wildlife habitat; construction-related pollution; and increased levels of air and noise pollution.
(ELR ORDER # 71555)

Final

Big Hole Unit Plan, Lolo N.F. 12/07

Montana
County: Sanders
Proposed is the implementation of a revised Multiple Use Plan for the Big Hole Planning Unit located on the Plains and Thompson Falls Ranger Districts, Lolo National Forest. This action affects 39,090 acres of National Forest land. THe planning unit is subdivided into ten management units of similar resource potentials and problems. The primary environmental effects involve the modification of natural conditions on 9,750 acres that are presently roadless.
COMMENTS MADE BY: DOI EPA
one state agency
concerned groups and individuals
(ELR ORDER #71492)

Supplement Date

Rio Grande NF Timber Management (S-1) 12/05

Colorado
County: Several
This statement supplements a FEIS originally filed with CEQ in June, 1975. Proposed is a revision in the Timber Management Plan for the Rio Grande National Forest for the ten years of 1975-84 and involves silviculture on from 9660 to 16040 acres annually. Public comment on the FEIS initiated a complete review of the procedures used in determining the Potential Yield for the National Forest; the Forest Service used incorrect volume figures in the original calculations which resulted in a Potential Yield that was significantly less than the correct Yield. This supplement addresses this problem.
(ELR ORDER # 71481)

Rural Electrification Administration

Draft — Date

161 kV Transmission Line, Genoa, WI to Lansing, IO — 12/27

Wisconsin Iowa

Proposed is the release of loan funds by the Rural Electrification Administration to Dairyland Power Cooperative, to finance approximately 19 miles of a 161 kV transmission line from Genoa, Wisconsin to Lansing, Iowa. Adverse effects include the introduction of negative visual impacts into rural areas; the crossing of approximately 3.7 miles of the Upper Mississippi River Wild Life and Fish Refuge; an effect upon the existing migratory and feeding patterns of waterfowl which use the Refuge area; soil erosion; and construction-related impacts.
(ELR ORDER # 71546)

Final — Date

Chalk Pt.-Lexington Park, 230 kV Trans Line — 12/05

Maryland
County: Prince Georges St. Mary's Calvert

Proposed is the granting by REA of a loan application to Southern Maryland Electric Cooperative, Inc. to finance 20 miles out of a total of approximately 38.6 miles of double-circuit 230 kV transmission line from Chalk Point, Prince Georges County, to Lexington Park, St. Mary's County, via Calvert County. Plans also call for three new switching substations at Chalk Point, Holland Cliff, and Calvert Cliffs. The proposed project will cross 1.1 miles of Maryland National Capital Park and Planning Commission land in Prince Georges County. 7.8 miles of the 20 have been financed at the present time.
COMMENTS MADE BY: DOI EPA DOT USDA FPC
(ELR ORDER # 71477)

Supplement — Date

Clinton Power Station Units 192 (S-1) — 12/30

Illinois
County: DeWitt
This statement supplements a final EIS originally filed by the Atomic Energy Commission in September of 1975. The Rural Electrification Administration has subsequently adopted the project. The proposed action concerns the use of REA guaranteed loan funds to finance a 20 percent undivided ownership interest in Unit No. 1 of the Clinton Power Station, Dewitt County, Illinois. Adverse impacts include the disturbance of agricultural land; alteration of the existing aquatic regime and associated biotic structure in Clinton Lake; and construction-related pollution.
(ELR ORDER # 71562)

Marble Hill Nuclear Station, Units 1&2(S-1) — 12/30

Indiana
County: Jefferson
The proposed federal action is a loan guarantee commitment to the Wabash Valley Power Association, Inc., to finance a 17 percent undivided ownership interest in the 2260 MWE Marble Hill Nuclear Generating Station, Units No.1 and No.2 in Saluda Township, Jefferson County, Indiana. Adverse effects include possible disturbance of approximately 250 acres of forest and cropland.
(ELR ORDER #71563)

Soil Conservation Service

Draft — Date

Factory Creek Watershed — 12/07

Alabama
County: Sumter
Proposed is a watershed plan for the Factory Creek Watershed located in rural Sumter County in West Central Alabama. Plan implementation calls for watershed protection and flood prevention by means of conservation land treatment measures and 3 single-purpose flood water retarding structures. Adverse impacts include the loss of 81 acres of wildlife habitat; increased sediment in streams during construction; and a slight increase in stream temperatures below impoundments.
(ELR ORDER # 71490)

Draft Date

Neck River Watershed 12/23

Connecticut
County: New Haven
Proposed are land treatment measures and a floodwater diversion structure consisting of three measures: a diversion dam with accompanying diversion channel and dike, to be implemented on 912 acres in New Haven County, Connecticut. Adverse effects are anticipated to be negligible.
(ELR ORDER # 71543)

Zumbro River Watershed, South Fork 12/27

Minnesota
County: Dodge Olmstead
The proposed plan calls for flood control measures to be installed by the Soil Conservation Service (SCS) and the Army Corps of Engineers (COE), in Olmstead and Dodge Counties in southeastern Minnesota. The SCS's responsibility includes the installation of six single purpose flood prevention structures, one multiple-purpose flood prevention-recreation structure, recreation facilities, and accelerated land treatment measures. The COE will administer the installation of channel work, levee construction, bridges, sewers, and utilities. Adverse impacts include the loss of wildlife habitat on 990 acres of land and construction-related pollution.
(ELR ORDER # 71548)

Roseville Flood Prevention 12/12

North Dakota
County: Traill
Proposed is an RC&D measure plan for the Roseville area, Traill County, North Dakota. The proposed plan calls for the improvement of 5 miles of floodway and appurtenances, 1/2 mile of dike and 2 miles of diversion for flood prevention, and 4 drop structures for critical area treatment. Adverse impacts include the removal of 4.2 acres of native woods, and reduction of the drainage area supplying surface water runoff to an existing 12 acre type 3 wetlands.
(ELR ORDER # 71507)

Upper Mud River Watershed 12/29

West Virginia
County: Lincoln Boone
Proposed is a watershed plan for the Upper Mud River, Lincoln and Boone Counties, West Virginia. Plan implementation calls for the installation of land treatment

measures, floodwater retarding structures, recreation facilities, and the preparation of flood-plain maps to assist in adopting zoning ordinances prohibiting development within the 100-year with-project flood plain. Adverse impacts include the relocation of 42 homes, 1 store, and 1 church; inundation of 332 acres of agricultural land and wildlife habitat; construction-related pollution; and the additional utilization of 32 acres for dams, emergency spillways, and borrow areas. (ELR ORDER # 71557)

Final — Date

E. Branch Brandywine Creek Watershed — 12/05

Pennsylvania
County: Chester
Proposed is the completion of the Brandywine Creek Watershed Project, which was approved for construction in October 1962. Project actions that have been installed clude conservation land treatment, one floodwater retarding dam, and two multiple purpose dams that include storage for flood prevention, water supply, and recreation. The project described in this statement consists only of the land treatment and structural measures remaining to be installed on the East Branch Brandywine Creek Watershed. Adverse effects include relocation of three homes.
COMMENTS MADE BY: DOI DOT EPA AHP USDA
(ELR ORDER # 71476)

CANAL ZONE GOVERNMENT

Final	Date
White Amur Introduction, Canal Zone Waters	12/08

Proposed is the introduction of 250,000 white amur (Ctenopharyngolon idella) into Gatun Lake as a biological control for the submerged aquatic weed Hydrilla verticillata. Although present in the lake for at least fifty years, hydrilla has grown rapidly in recent years until an estimated 12 percent of the lake is densely infested. The Panama Canal Company proposes to transport 125,000 fingerling white amur a year for two consecutive years and place them into two small lakes that are confluent with Gatun Lake.
COMMENTS MADE BY: DOI STAT COE DOT
(ELR ORDER # 71497)

DEPARTMENT OF COMMERCE

Contact: Dr. Sidney R. Galler
Assistant Secretary for Environmental Affairs
Environmental Affairs
Department of Commerce
Washington, D.C. 20230

Draft — Date

EXPO 1981, Los Angeles — 12/22

California
County: San Bernadino
Proposed is an International Exposition to be held in Ontario, California (San Bernardino County) from May 1 to October 31, 1981. The Exposition has already been officially registered with the Bureau of International Expositions and is in the process of obtaining an official commitment from the federal government to participate in the Exposition through the construction of a federal pavilion. The project will be constructed at the Ontario Motor Speedway (OMS), a 697-acre motor racing complex. Adverse impacts include increased noise and traffic and possible adverse effects on ground water quality.
(ELR ORDER # 71538)

Nat'l Oceanic and Atmospheric Admin.

Draft — Date

Northern Anchovy Fishery Management Plan — 12/14

The proposed action is to adopt and implement a Fishery Management Plan for the fisheries of the central subpopulation of the northern anchovy (Engraulis Mordax) under the provisions of the Fishery Conservation and Management Act of 1976. Options on six management measures: fishing seasons, area closure, size restrictions, limited entry, sex restrictions, and harvest quotas are considered.
(ELR ORDER # 71518)

DEPARTMENT OF DEFENSE, Army Corps

Contact: Dr. C. Grant Ash
Office of Environmental Policy Department
Attn: DAEN-CWR-P
Office of the Chief of Engineers
U.S. Army Corps of Engineers
1000 Independence Avenue, S.W.
Washington, D.C. 20314
(202) 693-6795

Draft — Date

Parkwood 101, Ltd., Permit Application — 12/01

California
County: San Mateo
Proposed is the fill and development of 13 acres of wetland adjacent to Belmont Slough, and landward of the main levee, in Redwood City, California. The applicant has received a Regional Water Quality Control Order to prevent leaching from a former garbage dump. Fill is proposed as the solution to stop leachate that is entering the area. Adverse effects include irreversible loss of wetland; increased pressure on wetland habitat; air, water, and noise pollution; and increased use of utilities, services, and natural resources. (San Francisco District)
(ELR ORDER # 71469)

Metro Atlanta & Lake Sidney Lanier, Water Study — 12/09

Georgia
County: Several
Proposed is the acceptance of a recommended water supply plan for the Metro Atlanta Region to meet projected water supply needs to the year 1990, with future plans to the year 2000 and beyond to be developed based on additional studies. The short-term plan proposes raising the Lake Lanier maximum power pool level to elevation 1,071 x 1,071 instead of the present 1,070. Adverse impacts include necessary modifications to existing or planned recreation facilities and possible archaeological impacts. (Savannah District)
(ELR ORDER # 71504)

Potomac River Water Supply Structures — 12/16

Maryland Virginia
Proposed is the Corps' issuance of three pending permit applications for structures associated with water supply facilities on the Potomac River. Plans call for construction of a diversion weir across the north channel of the Potomac River near Watkins Island, Montgomery County, by the Washington Suburban Sanitary Commission (WSSC); the replacement of the existing intake structure at that location by WSSC; and the construction of an intake facility at Lowes Island, Loudoun County, Virginia

by the Fairfax County Water Authority. Adverse impacts are those associated with the probability of increased occurence of periods of critical low flow. (Baltimore Dis.)
(ELR ORDER # 71526)

Harrisville Harbor, Mitigation of Shore Damage 12/05

Michigan
County: Alcona
The Corps proposes to mitigate shore erosion damage in the vicinity of Harrisville Harbor , that is attributable to the Federal navigation structures at the harbor. The proposed plan is a structural approach entailing the construction of a rubble-mound rock groin at the site of severe erosion, along with the provision of beach nourishment material to replenish the area which has been subjected to the most severe erosion. Adverse impacts include temporary disruption of the aquatic environment through increased turbidity; destruction of benthic habitat due to dredging operations; and temporary, construction-related pollution.
(ELR ORDER # 71479)

Sebewaing River O/M, Confined Disposal & Flood Control 12/19

Michigan
Proposed are operation and maintenance measures to be implemented on the Sebewaing River, Michigan. The proposed plan calls for maintenance dredging of the Sebewaing River navigation and flood control channel, construction of a confined disposal facility for contaminated dredge material, repair of flood protection structures, and, as necessary, dynamiting the ice jams to prevent flooding of the village of Sebewaing. Adverse impacts include the destruction of approximately 2-3 acres of moderately productive shoreline wetland; increased water turbidity; and possible other water impacts. (Detroit District)
(ELR ORDER # 71527)

O/M, Arkabutla, Enid, Grenada, and Sardis Lakes 12/09

Mississippi
County: Several
The COE proposes to continue its present operation and maintenance activities at Arkabutla, Enid, Grenada and Sardis Lakes. These projects were authorized for flood control within the Yazoo River Basin and are designed to protect the Basin from overflow above the head of the Mississippi River backwater area. Adverse effects include the impact of fluctuating lake levels upon peripheral aquatic and terrestrial plant and animal life; aggravated soil erosion; and interference with recreational opportunities. (Vicksburg District)
(ELR ORDER # 71503)

Pacific Fabricators Steel Yard at Warrenton 12/15

Oregon
County: Clatsop
Proposed is the issuance of a COE permit to Pacific Fabricators Inc. to dredge and fill a channel in connection with the construction of a steel fabrication facility at Warrenton, Oregon. Plan implementation consists of the dredging of approximately 1.5 miles of the lower Shipanon Channel, increasing the depth from 14 to 20 feet. Adverse impacts include the removal of approximately 40 acres of subtidal and intertidal habitat used by benthic organisms; the elimination of 8 acres of interdal marsh and 47 acres of transitional marsh; and the loss of 320 acres of diked pasture and upland pasture.
(ELR ORDER # 71520)

Raystown Hydropower Plan 12/30

Pennsylvania
County: Huntingdon
Proposed is the Raystown Hydropower Plan, Huntingdon County, Pennsylvania. Plan implementation calls for the construction of an earthfill dam approximately 115 feet high and 5,000 feet long across Little Trough Creek; filling a 3 1/2 mile segment of the creek valley by an impoundment with a minimum pool at 1,300 feet msl; and construction of an underground powerhouse, access tunnels, transmission lines and access roads. Adverse impacts include the loss of 3.5 miles of a free-flowing stream; loss of riparian and valley habitats; and construction related pollution.
(ELR ORDER # 71559)

Final Date

Poteau River Small Navigation Project 12/23

Arkansas
The proposed project consists of channel improvement and maintenance of the lower 1.7 miles of the Poteau River for navigation. Plans call for the addition of a turning basin; dredging, clearing and snagging; removal of abandoned structures (unused railroad bridge pier and water intake structure) in the waterway;and widening the mouth. Adverse effects include possible increased water pollution because of increased barge traffic. Disturbance of the aquatic and terrestial ecosystems by dredging and spoil disposal will also result. (Tulsa District)
COMMENTS MADE BY: EPA DOI DOC USDA AHP DOT
state agencies
concerned interest groups
(ELR ORDER # 71544)

Keenwick West Addition 12/22

Delaware
County: Sussex
The statement refers to a permit action filed by William G. Adkins of Adkins Realty, concerning a permit for the dredging of six unbulkheaded lagoons which would be in connection with Roy Creek. The project will provide recreational areas near Fenwick Island. Proposed plan implementation consists of approximately 8000 feet of lagoons 80 feet wide extending four feet below the mean low water line. Dredging in Roy Creek is also proposed. Adverse effects include the alteration of the biological habitat of Roy Creek due to fluctuating water levels. (Philadelphia District)
COMMENTS MADE BY: HUD DOC EPA USDA DOI
state agencies
(ELR ORDER # 71535)

Stocco Homes, Inc. Lagoon Development 12/02

New Jersey
County: Cape May
Proposed is the approval of a permit application for the construction of a waterfront residential development at Ocean City, New Jersey. The construction includes the dredging of two additional lateral lagoons in an existing lagoon system, the bulkheading of these new lagoons and all previously dredged lagoons, disposal of dredge spoil material behind inclosed sod banks on the site, and the building of roadways, houses and dock facilities. Construction would result in 113 new single family dwellings, with docking facilities. (Philadelphia District)
COMMENTS MADE BY: USDA DOC DOI EPA HUD AHP
state and local agencies
(ELR ORDER # 71474)

Pine Brook Flood Control Project, Manalapan 12/28

New Jersey
County: Monmouth
The recommended plan of flood protection is channel modification consisting of widening and deepening of approximately 600 feet of the Pine Brook in Manalapan Township, New Jersey. The newly straightened channel would extend from the vicinity of the Pension Road Bridge to 700 feet upstream of Winthrop Drive Bridge. Adverse impacts include removal of vegetation, some loss of wildlife and wildlife habitat and the change of aesthetics to a modified appearance of the stream and land. (New York District)
COMMENTS MADE BY: EPA DOI FPC USDA DOT HEW AHP
state and local agencies
concerned groups and individuals
(ELR ORDER # 71553)

Pleasant Prairie Power Plant 12/13

Wisconsin
County: Kenosha
Proposed is the construction and operation of a fossil fuel power plant at Pleasant Prairie by Wisconsin Electric Power Company. The plant will be built in stages with completion of the first plant's two units scheduled for 1980 and the second in 1982. The proposed plant will utilize two low-sulfur, western coal-fired units to produce steam for the generation of 1,160 MW net of electrical power. The projected initial capacity factor of the plant will be 30 percent. Exhaust steam from the turbine-generators will be cooled and condensed by water pumped from Lake Michigan. (Chicago District)
COMMENTS MADE BY: EPA DOC USDA DOI
state and local agencies
concerned interest groups
(ELR ORDER # 71517)

Supplement Date

Vicksburg Harbor, Mississippi (S-1) 12/12

Mississippi
County: Warren
The proposed project consists of the expansion of Vicksburg Harbor, Warren County, Mississippi. Plan implementation consists of the construction of an additional harbor channel, channel enlargement, new fleeting and berthing areas, 500 acres of raised landfill and disposal of dredged material in the main channel of the Mississippi River. Adverse effects include increased sedimentation and turbidity; a loss of 1267 acres of productive bottomland hardwood, including 62 acres of wetlands; the alteration of an additional 375 acres of wetlands; and the loss of 140 acres of productive agricultural land. (Vicksburg District)
(ELR ORDER # 71509)

DEPARTMENT OF DEFENSE, Navy

Contact: Mr. Ed Johnson
Head, Environmental Impact Statement/
RDT&E Branch
Office of the Chief of Naval Operations
Department of the Navy
Washington, D. C. 20350
(202) 697-3689

Final — Date

Seafarer ELF Communications System — 12/12

Michigan
County: several
This statement concerns the development of an Extremely Low Frequency (ELF) Communications System for strategic command and control of the Fleet Ballistic Missile Submarine Force. Known as Project Sanquine until 1973, the preferred communications concept is now called Seafarer. The Seafarer removes the constraint of periodic near surface submarine operations for necessary communications. The Michigan site was chosen from 3 alternatives. Adverse impacts include the clearing of about 3 miles of new rights-of-way through forests; passing through wetland areas in 6 places; and soil compaction and erosion.

COMMENTS MADE BY: EPA DOI
state and local agencies
concerned groups and individuals
(ELR ORDER # 71512)

Fleet Ballistic Missile, Kings Bay — 12/12

Georgia
The proposed action consists of the construction and operation of an Atlantic Fleet submarine refit site at Kings Bay, Georgia. Plans call for the basing of one submarine squadron supported by a submarine repair ship and floating drydock. The statement also considers the possibility of future expansion of operations at the site to accommodate two submarine squadrons, as well as the possible construction and operation of an ashore refit facility to support either one or two submarine squadrons. Adverse impacts include loss of benthic population in the northern navigation channels, and displaced wildlife.
COMMENTS MADE BY: COE DOC HEW USDA DOI JUS DOT EPA GSA
state and local agencies
concerned groups and individuals
(ELR ORDER # 71513)

DEPARTMENT OF ENERGY

Contact: Dr..Robert Stern
12th and Pennsylvania Ave., N.W.
Washington, D.C. 20461
(202) 566-9760

Supplement	Date
Bryan Mound Salt Dome (S-1)	12/02

Texas
County: Brazoria
This statement supplements a final EIS filed with CEQ in January of 1977 concerning the development of the Bryan Mound salt dome as a storage site for the Strategic Petroleum Reserve. The salt dome is located in Brazoria County, Texas. This supplement assesses the environmental impacts caused by the construction and operation of new proposed system changes in the brine pit, the new brine pipeline and injection wells, the water intake structure, and the pipeline from the intake structure to the site.
(ELR ORDER # 71475)

ENERGY RESEARCH AND DEVELOPMENT ADMIN.

Contact: Mr. W. Herbert Pennington
Office of NEPA Coordination
Energy Research and Development Administration
E-201, ERDA
Washington, D.C. 20545
(301) 353-4241

Final — Date

Alternative Fuels Demonstration Program — 12/01

Proposed is an incentive program to ensure production at commercial scale of the equivalent of 350,000 barrels per day of synthetic fuels from coal, oil shale, and biomass (urban and other wastes). Synthetic fuels conversion plants constructed with aid of the proposed incentives would create air and water pollution and solid waste and create noise and aesthetic degradation. Conjunctive development necessary to support the plants would include mining, pipelines, and transmission lines, each of which would also impact air, water, and land. Community development or expansion would be required to support conversion plants in remote areas.
COMMENTS MADE BY: USDA DOC HEW DOI DOT TVA EPA FEA NASA NSF NRC state and local agencies concerned groups and individuals
(ELR ORDER # 71464)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Peter Cook
Director, Office of Federal Activities
Room WSMW 537, 401 M Street, S.W.
Washington, D.C. 20460
(202) 755-0780

Draft — Date

South Paris Sludge Disposal Alternatives — 12/19

Maine
County: Oxford
Proposed is the selection, from six alternatives, of a site for the disposal of dewatered sludge from the secondary wastewater treatment facility at South Paris, Oxford County, Maine. Two sites are recommended: the A.C. Lawrence site and the Ryerson Hill site. Adverse impacts include land loss due to sludge trenching; disruption of wildlife habitat; a decrease in site water quality; and possible effects on local groundwater. (Region 1)
(ELR ORDER # 71528)

Final — Date

Greensboro-Guilford Co. 201 Wastewater System — 12/01

North Carolina
County: Greensboro Guilford
The proposed project consists of construction of the necessary facilities to process and treat approximately 36 million gallons per day of wastewater for the Greensboro-Guilford County area in North Carolina. Plans call for the upgrading of the existing North Buffalo Creek Treatment Plant to tertiary treatment at 16 MGD, abandonment of the S. Buffalo Creek Treatment Plant, and construction of a 60-inch diameter outfall from that plant location to a new 20 MGD plant located 26,000 feet downstream on South Buffalo Creek. Important adverse secondary impacts include increased flooding and the necessity for potentially unsound flood control. (Region IV)
COMMENTS MADE BY: USDA HEW HUD DOI
state and local agencies
concerned groups and individuals
(ELR ORDER # 71470)

Henderson 201 Wastewater Treatment System — 12/06

North Carolina
County: Warren Franklin Vance
Proposed is the development of a wastewater treatment system to service the Greater Henderson area in North Carolina. The project consists of the necessary facili-

ties to process and treat approximately 3.7 million gallons per day (MGD) of water. The major environmental impacts resulting from implementation of any of the three alternatives considered will be those associated with the water quality downstream of wastewater treatment plant discharges. (Region IV)
COMMENTS MADE BY: COE HEW DOI HUD EPA
(ELR ORDER # 71484)

GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders
Executive Director, Environmental Affairs Division
General Services Administration
18th and F Streets, N.W.
Washington, D.C. 20405
(202) 566-0405

Draft | Date

Central Los Angeles Parking Facility | 12/06

California
County: Los Angeles
Proposed is the construction of a 1300 space parking facility on government-owned land directly behind the Federal Building at 300 North Los Angeles Street. The structure will provide space for official, visitor and employee carpool parking for both the Federal Building and the US Courthouse at 312 North Spring Street. Adverse impacts include construction-related pollution and increased levels of noise and possibly air pollution in the immediate vicinity of the parking facility.
(ELR ORDER # 71483)

U.S. Federal Courthouse Annex, Detroit 12/30

Michigan
County: Wayne
Proposed is the construction of a detention facility by the Federal Bureau of Prisons (BOP) near the U.S. Courthouse in downtown Detroit. Designed as a short-term detention/correctional facility, the Federal Courthouse Annex (FCA) will be occupied primarily by detainees awaiting trail or sentencing. Adverse impacts include the displacement of three commercial concerns.
(ELR ORDER # 71566)

Supplement Date

Federal Correctional Facility, Otisville (S-1) 12/16

New York
County: Orange
Proposed is the modification of the original plans for construction of a new Federal Correctional Institution in Otisville, New York, as described in the final EIS originally filed with CEQ in June of 1976. The modification consists of the addition of a 100-man maintenance camp outside of the main institution compound but within the 250 acre site on which the main institution is located. Adverse impacts include the alteration of natural cover.
(ELR ORDER # 71524)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun
Director, Office of Environmental Quality
Department of Housing and Urban Development
451 7th Street, S.W.
Washington, D.C. 20410
(202) 755-6308

Draft — Date

The Highlands Subdivision — 12/23

Colorado
County: Arapahoe
Proposed is the granting of FHA mortgage insurance for 199 units of The Highlands, a planned unit development in Arapahoe County, Colorado. A total of 970 units are eventually planned. Adverse impacts include construction-related pollution; increased levels of air and noise pollution; and effects upon the social and police services of the community.
(ELR ORDER # 71539)

Northdale and Ranchester Subdivisions — 12/30

Florida
County: Hillsborough
Proposed is the granting of an HUD/FHA subdivision feasability analysis and early start to the Criterion Corporation for the development of the Northdale and Ranchester subdivisions in Hillsborough County, Florida; the Northdale subdivision encompasses 1,259 acres; the Ranchester subdivision entails 780 acres. Adverse impacts include construction-related pollution; disruption of ecological systems; commitment of community resources; and increases in air, noise and water pollution.
(ELR ORDER # 71564)

West Park Hills & Countryside Developments — 12/21

Minnesota
County: Hennepin
Proposed is the issuance of mortgage insurance under Section 203(b) for 764 dwelling units comprising portions of the Countryside and West Park Hills housing developments in the city of Bloomington, Hennepin County, Minnesota. The developments cover .86 square mile for which approximately 1254 housing units are planned. Adverse impacts include the removal of one square mile of agricultural land and wildlife habitat from production; increased demand for public services and facilities; increased air and noise pollution; increased pressure for development; and construction-related pollution.
(ELR ORDER # 71524)

Draft — Date

Glen Meadows Subdivision, LaPorte — 12/08

Texas
County: Harris
The proposed action is for HUD to accept app. 178 acres of land located in the City of LaPorte, Harris County, Texas, for HUD-FHA home mortgage insurance. The proposed plan is for a subdivision composed primarily of single family dwellings; app. 725 units will be built to provide housing for some 2500 people. Adverse impacts include disruption of plant and animal communities and increased demand for fossil fuels through heavy dependence on the automobile.
(ELR ORDER # 7a496)

Chimney Hill Subdivision — 12/07

Texas
County: Harris
Proposed is the development of 291 acres into a planned community composed of single family homes located in Harris County, Texas. The proposed project will provide housing for app. 4000 people. Adverse effects include increased loading of solid waste disposal sites; increased groundwater consumption; and increased demand for fossil fuels through heavy dependence upon the automobile for transportation.
(ELR ORDER # 71488)

Final — Date

Taylor Ranch Community — 12/09

New Mexico
County: Bernalillo
Proposed is the acceptance of the Taylor Ranch Planned Community in Albuquerque, New Mexico. The development of the 1093.6-acre area calls for single family homes, multi-family homes, apartments, schools, a civic center, shopping and commercial areas, and park and recreation facilities. Major adverse impacts of the proposed project would include removal of the archaeological resources of the site, and creation of significant traffic congestion and safety hazard on Coors Road unless transportation alternatives are implemented.
COMMENTS MADE BY: AHP COE EPA DOI DOT VA
(ELR ORDER # 71501)

Heritage Hills Subdivision — 12/20

New Mexico
County: Albuquerque Bernalillo
Proposed is the acceptance of the Heritage Hills Subdivision in Albuquerque, New Mexico for mortgage insurance

purposes. The 306-acre development will be composed of single-family homes, a park, an elementary school site, and an area reserved for future development. Adverse effects include short term crowding in existing middle and high school facilities and an associated impetus for construction of new facilities.
COMMENTS MADE BY: AHP COE EPA DOI USDA DOT VA
state and local agencies
(ELR ORDER # 71529)

Wimmerton Planned Unit Development 12/09

Pennsylvania
County: Westmoreland
This statement deals with the residential portion of a planned unit development to be known as Wimmerton in Westmoreland County, Pennsylvania. The proposal was submitted to HUD to obtain approval for insured mortgages. Approximately 1,110 acres which were formerly in agricultural use are planned for development with 537 acres to be used for residential development. Ultimately, 2800 dwelling units are expected to be built and most of these will be apartments and townhouses.
COMMENTS MADE BY: EPA DOT FEA DOI AHP COE USDA
(ELR ORDER # 71500)

Sterling Green Subdivision 12/01

Texas
County: Harris
Proposed is the development of 1200 acres into a planned community composed of single-family homes, apartments, patio homes and townhomes with some commercial reserves in Harris County, Texas. This development provides for the planning and controlling of a wide range of living accomodations for approximately 26,500 people. Adverse effects would include the loss of agricultural land and an increased demand for fossil fuels through heavy dependence on the automobile for transportation.
COMMENTS MADE BY: EPA COE AHP DOT DOI USDA
state and local agencies
(ELR ORDER # 71471)

Atascocita Forest Subdivision 12/06

Texas
County: Harris
Proposed is the development of the 632-acre Atascocita Forest Subdivision in Harris County, Texas. The project includes 3,570 living units, both single- and multi-family. The development will provide a wide range of living accomodations for 11,773 people. The transition of the site from a natural to an urban area will result in loss of vegetation, elimination of a number of species, and the rechannelization of William's

Gully.
COMMENTS MADE BY: EPA DOI COE USDA DOT AHP
(ELR ORDER # 71485)

Winqate Subdivision 12/13

Texas
County: Harris
Proposed is the development of 127 acres into a planned community composed of sinqle family homes, located in Harris County, Texas. This project will provide housing for approximately 2100 people. The development will result in increased loadinq of solid waste disposal sites, increased qroundwater consumption, and increased demand for fossil fuels throuqh heavy dependence upon the automobile for transportation.
COMMENTS MADE BY: EPA COE AHP DOT DOI USDA
state and local agencies
one concerned qroup
(ELR ORDER # 71514)

Riviera East Subdivision 12/23

Texas
County: Harris
Proposed is the approval of an application for HUD/FHA home mortqage insurance for the Riviera East Project in Harris County, Texas. The 402.28-acre planned community development will consist of sinqle family homes, multi-family units, and some commercial reserves. Adverse effects include loss of open space and an increased demand for fossil fuels throuqh heavy dependence on the automobile for transportation.
COMMENTS MADE BY: EPA COE AHP DOT DOE USDA
one state aqency
one interest qroup
(ELR ORDER # 71540)

Colony Park Subdivision 12/28

Texas
County: Travis
The proposed action is the acceptance for HUD home mortqaqe insurance purposes of the 599-acre Colony Park Subdivision in Austin, Texas. The project will provide 1,452 sinqle-family residential homes and 1,593 multi-family units to those families in the middle or lower income bracket. Plans call for traffic circulation systems, open space areas, and recreational facilities. The primary adverse impact is the increased use of fossil fuel due to heavy traffic between the project and the city of Austin.
COMMENTS MADE BY: DOC DOT VA DOD USDA DOI EPA AHP
state and local agencies
(ELR ORDER # 71551)

Section 104(h)

Draft — Date

Santa Maria, Ca.-Westside Behabilitation — 12/01

California
The proposed project involves the redevelopment of 8 blocks in downtown Santa Maria to be completed in two phases. This EIS considers the impacts associated with Phase I. The Phase I project involves the demolition of approximately 20% of existing structures and the addition of approximately 456 parking spaces. Remaining structures will be rehabilitated to meet the building and safety codes, and at least 60% will be improved architecturally as well. Phase II of this multi-year project has not yet been planned in detail.
(ELR ORDER # 71467)

Green Acres to Merricks Creek, Water Line — 12/09

West Virginia
County: Cabell
Proposed is the construction of a water distribution line extension project by the County Commission of Cabell County, West Virginia. Water line would be installed along 5 miles of WV-2 and 2.2 miles along Merricks Creek, WV-19. Adverse impacts include construction-related pollution.
(ELR ORDER # 71499)

Final — Date

Carbondale, Ill.-Drainways/Greenways Demo Project — 12/06

Illinois
County: Jackson
Proposed is the Drainways/Greenways demonstration project in Carbondale, Illinois. The project represents the initial effort in implementing the city-wide Drainways/Greenways system. This system proposes a functional multiple-use open space system providing multiple benefits including drainage, recreation, and transportation. The project is located entirely within Census Tract 1501.02. Adverse effects include disruption of natural vegetation and wildlife, increased runoff, and erosion during construction.
COMMENTS MADE BY: DOI EPA DOT
(ELR ORDER # 71494)

Tooele, Uta.-City W. Sewer Trunk Line — 12/07

Utah
County: Tooele

Proposed is the construction of a sewer mainline and collection lines on the west side of the city of Tooele, Utah, to connect approximately 250 homes to the sewage treatment plant. These homes are currently using sewer septic tank and drain field systems which are threatening the city water wells located in the same area. The primary impacts in the area will be the result of projected growth. Land use changes will take place as agricultural and unused lands are utilized for development projects.
COMMENTS MADE BY: FEA EPA DOI USDA
(ELR ORDER # 71489)

Bremerton, N.Perry, Siverdale, Wa.-Water Systems 12/05

Washington
County: Kitsap
Proposed is the implementation of various improvements to the Silverdale, North Perry, and Bremerton water districts. These improvements include the provision of new wells, pumping facilities, and distribution lines, and the replacement of some existing distribution lines with a larger pipe. The project area encompasses the Manette Peninsula and adjacent areas to the north (Brownsville) and the west (Bucklin Hill and Silverdale) and also the city of Bremerton. Physical and construction impacts are expected to be minor.
COMMENTS MADE BY: DOI EPA USDA
(ELR ORDER # 71480)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard
Director, Environmental Project Review
Room 4256 Interior Bldg.
Department of the Interior
Washington, D.C. 20240
(202) 343-3891

Bureau of Outdoor Recreation

Final — Date

Seneca State Park, Land Acquisition — 12/27

Maryland
County: Montgomery
Proposed is the acquisition of 46 inholdings, and the development of picnic, interpretive and recreational facilities within Seneca State Park, a 12-mile recreation corridor along the Great Seneca Creek. Approximately 2,701 acres of land will be acquired and a major day-use recreation area established. The park has been under active acquisition and development since 1955. Acquisition will result in the dedication of 6,609 acres for park and open space use and the relocation of 6 families.
COMMENTS MADE BY: FEA DOT HUD USDA EPA COE
state agencies
(ELR ORDER # 71550)

Bureau of Reclamation

Final — Date

Missouri R. Reservoirs, Water for Energy — 12/01

This statement proposes to make available for energy related industrial purposes up to 1.0 million acre feet of water annually from mainstem Missouri River reservoirs. The anticipated areas of water use include eastern Montana, western North Dakota, parts of western and central South Dakota, and northeastern Wyoming. Water service contracts would be issued for 40 years or less, with water delivery terminating no later than the year 2035. Impacts caused by the depletion of 1 million acre-feet of water on the mainstem are insignificant and can be minimized by modifications of existing reservoir operations.
COMMENTS MADE BY: DOI USDA HEW DOT HUD EPA FPC ERDA COE
state and local agencies
concerned groups and individuals
(ELR ORDER # 71466)

Supplement — Date

O'Neill Unit, Lower Niobrara Division (S-1) — 12/23

Nebraska
County: several
This statement supplements a final EIS originally filed with CEQ in September, 1972. That statement dealt with the construction of a dam and other water resource facilities known as the O'Neill Unit, Lower Niobrara Division, Nebraska, a part of the Pick-Sloan Missouri Basin Program. This supplement addresses four areas of the project judged inadequately considered in the final EIS: 1) geologic stability at the damsite, 2) project effect on groundwater quality, 3) impact upon area wildlife, and 4) assessment of the alternative of researching techniques for improving livestock and crop production without diminishing groundwater reserves.
(ELR ORDER # 71541)

National Park Service

Draft — **Date**

Colorado River Management, Grand Canyon NP — 12/12

Arizona
County: Mohave Coconino
Proposed is a river management plan for the Colorado River between Lee's & Pierce's Ferry within Grand Canyon National Park, Mohave and Coconino Counties, Arizona. The plan proposes to eliminate motorized craft; to increase total use of the river; increase noncommercial allocation; increase use of the river in the winter season; and establish measures for resource protection.
(ELR ORDER # 71511)

Final — **Date**

Fire Island National Seashore — 12/01

New York
County: Suffolk
The statement concerns a master plan for Fire Island National Seashore to guide park development and management for approximately 10 years as well as legislative actions necessary to implement the master plan. The plan includes increased access to the island and decreased pollution of estuaries. Increased urbanization of communities on Fire Island, particularly west of Point O'Woods may result.
COMMENTS MADE BY: AHP COE DOC HUD DOI DOT EPA GSA state agencies
(ELR ORDER # 71472)

INTERSTATE COMMERCE COMMISSION

Contact: Mr. Richard I. Chais
Chief, Section of Energy
and Environment
Room 3373
12th & Constitution Ave., N.W.
Washington, D.C. 20423
(202) 275-7692

Final — Date

Harrison County RR Line, S. Miss. Trans. Co. — 12/09

Mississippi
County: Harrison
Proposed is the granting of authority to the Southern Mississippi Transportation Company to construct and operate a line of railroad between a connection to an Illinois Central Gulf Railroad main-line located approximately 1,500 feet south of Interstate Route 10 in Gulfport, Mississippi, and property of E.I. Du Pont De Nemours, Inc., near De Lisle, Mississippi, a distance of 13.5 miles. While initially being constructed to serve a new Du Pont chemicals plant, the line could potentially provide rail access to an undeveloped area of 20,000 acres. Development of the rail line would require the commitment of approximately 200 acres of rural land.
COMMENTS MADE BY: FPC DOT HEW DOC USDA DOI EPA HUD
(ELR ORDER # 71502)

DEPARTMENT OF LABOR

Contact: David R. Bell
Chief, Technical Studies Branch
Department of Labor
200 Constitution Avenue
Room N3669
Washington, D.C. 20210

Final — Date

Occupational Exposure to Cotton Dust, Standard — 12/23

Proposed is the regulation of employee exposure to cotton dust by prohibiting their exposure to respirable particulates above the concentration limit of 200 ug/m3. The proposal also provides for employee exposure measurements, methods of compliance, personal protective equipment, training, work practices including housekeeping, medical surveillance, and record keeping. No adverse impacts on the environment external to the workplace are expected as a result of the promulgation of the proposed standard.
COMMENTS MADE BY: EPA DLAB ERDA
state agencies
(ELR ORDER #71542)

NUCLEAR REGULATORY COMMISSION

Contact: Mr. Voss A. Moore
Assistant Director for Environmental Projects
P-518
Washington, D.C. 20555
(301) 492-8446

Draft — Date

Allocation of Petroleum Feedstock, Sollers Point — 12/12

Maryland
County: Baltimore
The Economic Regulatory Administration (ERA) is considering an allocation of naphtha feedstock of approximately 1,000,000 barrels per year until the spring of 1978 and 2,186,000 barrels per year thereafter. This feedstock will be used by Baltimore Gas and Electric Company (RG&E) to operate its already constructed SNG facility located on Sollers Point in Baltimore County, Maryland.
(ELR ORDER # 71508)

Erie Nuclear Plant, Units 1 & 2 — 12/01

Ohio
County: Erie
The proposed action is the issuance of construction permits to the Ohio Edison Company, acting on behalf of itself, the Cleveland Electric Illuminating Company, Duquesne Light Company, Pennsylvania Power Company, and the Toledo Edison Company, for the construction of the Erie Nuclear Plant Units 1 and 2. Each unit of the plant will employ a pressurized--water reactor to produce a warranted output of 3760 megawatts thermal. A steam generator will use this heat to provide a net output of 1267 megawatts of electrical capacity. The exhaust steam will be cooled using makeup water from Lake Erie.
(ELR ORDER # 71468)

Sweetwater Uranium Project — 12/16

Wyoming
County: Sweetwater
Proposed is the issuance of a Source Material License to Minerals Exploration Company for the construction and operation of the proposed Sweetwater Uranium Mill with a nominal capacity of 3000 tons per day of uranium ore. Adverse impacts include the alteration of 2200 acres for occupation by the mill and an additional 3450 acres for mine dewatering operations; increase in the existing background radiation levels; and the disposal of 3000 tons per day of waste material on the mill site.
(ELR ORDER # 71523)

Final | Date

Yellow Creek Nuclear Plants, 1 & 2 | 12/01

Mississippi
County: Tishomingo
The proposed action is the issuance of construction permits to the Tennessee Valley Authority for the construction of the Yellow Creek Nuclear Plants Units 1 & 2. The plant will employ 2 pressurized water reactors to produce up to 3817 megawatts thermal (MWt) from each unit. The exhaust steam will be cooled by mechanical-draft cooling towers with makeup water obtained from the Yellow Creek embayment and discharged to Pickwick Lake. Construction will take place on 145 acres of the 1160-acre wooded site.
COMMENTS MADE BY: USDA DOI HEW TVA EPA COE
state agencies
concerned groups and individuals
(ELR ORDER # 71465)

STATE DEPARTMENT

Contact: Mr. Cameron Sanders
Office of Environmental Affairs
Department of State
Washington, D.C. 20520
(202) 632-9169

Final — Date

New Panama Canal Treaty — 12/27

Proposed is the conclusion of a new Panama Canal Treaty with the Republic of Panama concerning the operation and defense of the Panama Canal. The statement examines the alternatives of taking no action on the proposed Treaty, postponing further action on the Treaty, implementing the Treaty's provisions, and the possibility of a new treaty with stronger environmental safeguards. Other elements discussed in the EIS are a proposed Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal and an AID loan for watershed management, which has been proposed in connection with the Canal Treaty.
COMMENTS MADE BY: CZG DOC DOD USDA EPA FPC HEW DOI STAT DLAB NRC
concerned groups and individuals
(ELR ORDER # 71549)

Final — Date

National Airport System Plan (NASP) — 12/23

Proposed are the preparation and adoption of the revised National Airport System Plan (NASP) by January 1, 1978, as required by the Airport and Airway Development Act of 1970, as amended. The NASP sets forth the level of development with estimates of implementation costs, for the National Airport System for a period of ten years. Adverse effects include the consumption of a portion of our energy resources for aviation purposes; exposure to high levels of acoustic noise by persons inhabiting areas near major airports; and a continued contribution to the air pollution problems in certain areas of the country.
COMMENTS MADE BY: HEW CAB FEA DOC DOT DOI EPA
state and local agencies
concerned groups and individuals
(ELR ORDER # 71545)

Federal Highway Administration

Draft — Date

Shakwak Highway Improvement — 12/30

Alaska
This draft EIS was produced in conjunction with the Canadian Department of Public Works. Proposed is the paving and upgrading of the Haines Road from the Alaska/British Columbia border to Haines Junction, and the Alaska Highway from Haines Junction to the Yukon/Alaska border, a distance of approximately 520 kilometers. The plan is known as the Shawak Project and four alternative routes are offered. The United States would pay for the project and Canada's Department of Public Works would direct construction and maintenance operations. (Region 10)
(ELR ORDER #71565)

Beaver Street, US 90, Duval County — 12/15

Florida
County: Duval
Proposed is the upgrading of Beaver Street (US 90) in Jacksonville, Florida. Plan implementation consists of the development of a two, four and six lane curb and gutter section from Bulls Bay HIghway to I-95, a distance of approximately seven miles. Adverse impacts include relocation of residences and businesses, increased traffic volume, increased noise and construction-related impacts. (Region 4)
(ELR ORDER # 71519)

Draft Date

IL-9, Highway Improvement Near Alexandria 12/13

Illinois
County: Madison
Proposed is a highway improvement for IL-9 south of Alexandria, Madison County, Illinois, from the existing divided dual-lane roadway termination to a point approximately 0.15 mile north of the intersection of IL-9 and County Road 1300 North. Depending upon the alternative selected, the improvement length would be 5 to 5.6 miles in length. Adverse impacts include the displacement of residents and businesses; acquisition of agricultural land; construction-related pollution; and increased levels of air and noise pollution. (Region 5)
(ELR ORDER # 71516)

US 3-NH-11 Relocation, Franklin to Laconia 12/05

New Hampshire
Proposed is the relocation of US 3 and NH-11 from Webster Lake area in Franklin, to the Bypass around Laconia. The proposed plan calls for a four-lane limited access highway extending easterly through the City of Franklin and the towns of Tilton and Belmont to the City of Laconia for a distance of app. 12 miles. Adverse impacts include the acquisition of app. 494 acres of land, 21 of which are wetlands; the relocation of 38 single family homes, 4 multi-family apartment buildings, 3 businesses, 55 mobile homes and 4 other structures; construction-related pollution; and increased levels or air and noise pollution.
(ELR ORDER # 71478)

US-2, Devils Lake to ND Highway 18 12/29

North Dakota
County: Ramsey Nelson Grand Forks
The proposed project consists of acquiring right-of-way and constructing a roadway parallel to the existing roadway to provide a four lane divided highway from Devils Lake, North Dakota, easterly to the junction of U.S. 2 and N.D. 18. This project is approximately 60 miles long. Also proposed is the improvement of N.D. 1 from its intersection with U.S. 2 southerly approximately one mile. Adverse impacts include the relocation of several families; the filling in of approximately 120 to 130 acres of wetlands for roadway embankment; and construction-related pollution. (Region 8)
(ELR ORDER # 71556)

12th Street Widening & Extension, City of Cayce 12/21

South Carolina

Proposed is the upgrading of an existing four lane portion of 12th Street and extending on new location to the Southeastern Beltway for a distance of approximately 3.7 miles in and adjacent to the city of Cayce, South Carolina. Adverse impacts include the displacement of approximately 12 residences; acquisition of forested area for right-of-way purposes; increased levels of air and noise pollution; and the disruption of archaeological sites eligible for the National Register of Historic Places. (Region 4)
(ELR ORDER # 71533)

I-40 and I-75, Knoxville 12/08

Tennessee
County: Knox
Proposed are two plans for the widening and reconstruction of approximately 5.5 miles of I-40 and I-75 within the Central City of Knoxville, Tennessee. Plan implementation calls for 6-lane roadways within the project limits with auxiliary lanes where required for traffic weaving and merging between certain interchange ramps. Adverse effects include the displacement of 37 households and 22 businesses; acquisition of app. 21.5 acres for highway right-of-way; and increased noise and air pollution.
(ELR ORDER # 71498)

Berkley Avenue Improvement, Norfolk 12/21

Virginia
Proposed is the improvement of Berkley Ave., located within the city of Norfolk in the Tidewater portion of Virginia. The proposed 0.848-mile project begins at State Street and proposed I-464 and extends east-northeasterly to Indian River Road, 0.026 mile east of Marsh Street. Project implementation calls for widening Berkley Ave. from two to four lanes and building a bridge 1300 feet in length from south of Pescara Creek to east of the Norfolk and Western Railroad. Adverse impacts include the displacement of 42 families, 9 businesses and 3 non-profit organizations; elimination of 0.43 acres of productive wetlands; and air pollution.
(ELR ORDER # 71531)

Final Date

California 89, Alpine Co. 12/15

California
County: Alpine
The statement concerns the construction of a 5.9 mile segment of a two-lane expressway between Markleeville and Woodfords, California. One hundred and sixty acres of land have been purchased and one business and two families displaced. The project will necessitate a 500-foot channel

change along Millberry Creek that will temporarily disrupt fish habitat.
COMMENTS MADE BY: DOI DOT EPA USDA
state and local agencies
one interest group
(ELR ORDER # 71521)

F.A.S. 143 12/09

Illinois
County: Cook DuPage
Proposed is the replacement of an existing, aged roadway spanning the Chicago Sanitary Drainage and Ship Canal with funds administered by the FHWA. The proposed project was originally known as Federal Aid Secondary Route 143; as of July, 1976 it became Federal Aid Urban Route 2612 (Lemont Road). Adverse impacts include the acquisition of 6 family residences, 9 businesses and 3 storage tanks; construction-related pollution; and the removal of vegetation from 4.2 acres of roadway embankment. (Region 5)
COMMENTS MADE BY: DOI DOT USDA EPA HEW COE
(ELR ORDER # 71505)

Freeway 520, Hamilton-Hardin Counties 12/07

Iowa
County: Hamilton Hardin
The project involves the construction of 16 miles of Freeway 520 in Hamilton and Hardin Counties. The new Facility will be a four lane divided highway. Adverse impacts include the diversion of approximately 543 acres of productive cropland the displacement of two farmsteads, and increased air and noise pollution.
COMMENTS MADE BY: HEW DOI EPA USDA
(ELR ORDER # 71487)

Freeway 520, Hardin and Grundy Co ., Iowa 12/07

Iowa
County: Hardin Grundy
Proposed is the Freeway 520 project in Hardin and Grundy Counties, Iowa. The proposed plan begins approximately four miles south of Iowa Falls and one-half mile east of US 65; from this point, five alternative routes through the Hardin County Greenbelt are offered. Total project length is app. x24.5 miles. Adverse impacts include the acquisition of 1400 to 1500 acres of high quality cropland and 28 to 97 acres of timbered wildlife habitat; construction-related pollution; relocation of some homes; and increased noise and air pollution. (Region 7)
COMMENTS MADE BY: USCG USDA
(ELR ORDER # 71491)

Freeway 518 and Iowa 92 Relocation 12/06

Iowa
County: Washington Johnson
Proposed is the development of a north-south freeway route generally paralleling the alignment of present U.S. 218 in southeastern Iowa. The proposed facility would extend northerly from just south of Iowa 92 in Washington County to the intersection of I-80 and I-380 in Johnson County. The length of the proposed project is 29.7 miles. Adverse impacts include the conversion of approximately 2483 acres of land; the displacement of 10 individuals; increased air and noise pollution; and potential for soil erosion and sedimentation-type water pollution.
COMMENTS MADE BY: HUD DOI HEW USDA DOT EPA COE FEA
(ELR ORDER # 71495)

U.S. 81, U.S. 81 - K-93 Junction to U.S. 36 12/12

Kansas
County: Ottowa Cloud Republic
Proposed is the improvement of U.S. 81 in Ottowa, Cloud, and Republic Counties, Kansas. The improved corridor will extend north from the junction of U.S. 81 and K-93 east of Minneapolis, in Ottawa County, north through Cloud County, to its intersection with U.S. 36 at Belleville in Republic County. Six alternative combinations are presented, with an average project length of 50.4 miles. Adverse effects include the acquisition of 2,106 acres of land; removal of four dwellings; disruption of plant and wildlife habitat; increased air and noise pollution; erosion; and construction-related pollution. (Region 7)
COMMENTS MADE BY: EPA HUD DOI USDA DOT COE
state and local agencies
(ELR ORDER # 71510)

I-480 and S.R. 252, Ohio Turnpike to S.R. 176 12/07

Ohio
County: Lorain Cuyahoga
The proposed action involves construction of approximately eighteen miles of I-480 located in Lorain and Cuyahoga Counties. Also to be included with the interstate project is a relocation of State Route 252. The relocation is proposed from the south corporation limit of the City of North Olmstead where it crosses existing S.R. 252 northerly to I-480. Adverse effects include the taking of private and public lands for right-of-way use, noise level increases during construction, and existing water course disturbance. (Region 5)
COMMENTS MADE BY: DOT EPA USDA COE
(ELR ORDER # 71493)

L.R. 1127 12/06

Pennsylvania

County: Erie
Proposed is the reconstruction of LR1127, Section C00, in Erie County, which extends northerly from East 38th Street and Shannon Road 2.362 miles to East Lake Road (LR 495). Included in the proposed plan is a short (app. 400 ft) channel change of Fourmile Creek. Adverse impacts include the relocation of residents of a new 66 unit mobilehome park; construction-related pollution; and the taking of limited acreage from 3 public open space-park lands (a Section 4(f) Statement for these public lands accompanies the EIS).
COMMENTS MADE BY: DOI EPA USDA
(ELR ORDER # 71486)

Texas State Highway 35, Proposed Relocation 12/28

Texas
County: Harris Brazoria
Proposed is the relocation of Texas State Highway 35 from Almeda-Genoa Road near proposed South Beltway 8 in Harris County to existing State Highway 35 (Alvin Loop) at Spur 409 in Brazoria County. This is a continuation of the development of the proposed facility from Interstate Highway 45 at Calhoun Road to the city of Alvin. The proposed route is a 13.0 mile long controlled access facility. Adverse impacts include the displacement of homes and businesses; increased levels of air and noise pollution; the relocation of a portion of the American Canal; and construction-related pollution. (Region 6)
COMMENTS MADE BY: EPA DOT HEW HUD DOI COE USDA state and local agencies
(ELR ORDER # 71554)

Route 265 (Danville Expressway) 12/21

Virginia
County: Pittsylvania
Proposed is construction of the Danville Bypass (Route 265) located in Pittsylvania County, Virginia. Plan implementation calls for construction to begin 0.491 mile south of the Virginia-North Carolina State Line and terminate 0.082 mile north of the intersection with Route 58, for a total length of 7.865 miles. This final EIS does not include the northern leg of the Danville Bypass which was originally included in the draft EIS. Adverse impacts include the relocation of 87 families and 27 businesses; construction-related pollution; and increased air and noise pollution. (Region 3)
COMMENTS MADE BY: DOT DOI EPA COE HEW HUD USDA state and local agencies
(ELR ORDER # 71532)

Supplement Date

I-435 Extension, Johnson & Wyandotte Co. (S-1) 12/12

Kansas
County: Johnson Wyandotte
This statement supplements a final EIS filed with CEQ in November of 1972. Proposed is the addition of 20.5 miles to the I-435 loop around greater Kansas City in Johnson and Wyandotte Counties, Kansas. The proposed facility calls for a minimum six-lane, limited access facility, including interchanges and bridge crossings of the Kansas and Missouri Rivers. Adverse effects include the conversion of pasture, cultivated land, and dwelling unit tracts to right of way; the displacement of one church; the destruction of wildlife habitat; and increased levels of air and noise pollution. (Region 3)
(ELR ORDER # 71506)

Urban Mass Transportation Administration

Draft **Date**

Dade County Metro Rail Transit 12/30

Florida
County: Dade
Proposed is the granting of UMTA federal grant assistance for a fixed rail rapid transit project in Metropolitan Dade County, Florida, beginning in the vicinity of Dadeland and extending 20.5 miles northeasterly to the central business district of Miami. Adverse impacts include the demolition of 160-270 commercial buildings and 625-750 residential units; loss of some vegetation; and construction-related impacts.
(ELR ORDER #71561)

Final **Date**

Buffalo Light Rail Rapid Transit 12/27

New York
County: Erie Niagara
The Niagara Frontier Transportation Authority of New York has filed an application with UMTA for Federal capital grant assistance to construct and equip a 6.4-mile Light Rail Rapid Transit (LRRT) System along Main Street in the Buffalo-Amherst Corridor, New York. The project would run in subway for 5.2 miles between the South Campus of the State University, and at grade for 1.2 miles from Tupper Street to Buffalo's Memorial Auditorium. The action will result in displacement of 5 parcels and the razing of three structures.
COMMENTS MADE BY: COE DOT HEW DOI EPA AHP
one state agency
(ELR ORDER # 71547)

U.S.Coast Guard

Final | Date

Johns Creek Railway Line | 12/22

Kentucky
County: Pike
The proposed action consists of construction of 8.33 miles of new railway line located in the eastern part of Kentucky near the Virginia/West Virginia border. The purpose of the line is to transport coal more efficiently from the Johns Creek drainage to the Luisa Fork drainage and on to regional markets. Adverse impacts include disturbance of 150 acres of land and construction related effects.
COMMENTS MADE BY: DOT FPC DOI USDA COE GSA HEW EPA DOC HUD state agencies
(ELR ORDER # 71537)

Summary of 102 Statements Filed Through

12/31/77 (By Agency)

Agency	Draft 102's for actions on which no final 102's have been received	Final 102's on legislation and actions	Supplements	Total actions on which draft or final statements have been received
Agriculture, Department of	196	865	15	1076
Appalachian Regional Commission	1	0	0	1
Architect of the Capitol	0	1	0	1
Atomic Energy Commission	42	144	0	186
Canal Zone Government	0	2	0	2
Civil Aeronautics Board	0	2	0	2
Commerce, Department of	32	85	22	139
Consumer Product Safety Commission	0	1	0	1
Defense, Department of	10	9	1	20
Air Force	11	29	2	42
Army	0	33	3	36
Army Corps of Engineers	569	1173	44	1786
Navy	11	48	4	63
Delaware River Basin Commission	3	8	0	11
Energy, Department of	0	0	1	1
Energy Policy Office	0	1	0	1
Energy Research & Development Admin.	3	18	0	21
Environmental Protection Agency	61	130	5	196
Federal Energy Administration	11	14	6	31
Federal Maritime Commission	3	0	0	3
Federal Power Commission	81	71	6	158
Federal Trade Commission	1	0	0	1
General Services Administration	21	111	4	136
HEW, Department of	3	19	0	22
HUD, Department of	96	340	6	442
Interior, Department of	147	424	8	579
International Boundary and Water Commission -- U.S. & Mexico	0	10	0	10
Interstate Commerce Commission	10	17	0	27
Justice, Department of	2	3	0	5
Labor, Department of	8	6	0	14
National Aeronautics and Space Adm.	10	27	4	41
National Capitol Planning Comm.	5	9	0	14
National Science Foundation	0	7	0	7
New England River Basins Comm.	3	0	0	3
Nuclear Regulatory Commission	10	48	12	70
Office of Science and Technology	0	1	0	1
Ohio River Basin Commission	0	1	0	1
Pacific Northwest River Basins Comm.	3	0	0	3
Pennsylvania Ave. Devel. Corp.	0	1	0	1
Souris-Red-Rainy River Basins Comm.	1	0	0	1
State Department	3	7	0	10
Tennessee Valley Authority	9	30	0	39
Transportation, Department of	984	2430	43	3457
Treasury, Department of	4	7	0	11
Upper Mississippi River Basin Comm.	2	0	0	2
U.S. Postal Service	2	5	0	7
U.S. Water Resources Council	7	9	0	16
Veterans Administration	6	10	0	16
TOTALS	2371	6156	186	8713

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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102 Monitor

The 102 Monitor is a monthly publication of the Environmental Protection Agency. In addition to its listing of Environmental Impact Statements which have been filed under the provisions of the National Environmental Policy Act (NEPA), the Monitor contains a list of EPA's comments, filed under the provisions of section 309 of the Clean Air Act, as amended; items of current concern in NEPA case law; information on the environmental studies of the Council on Environmental Quality; and other matters of interest.

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